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### The Administration of Justice: the Correctional Process\*

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THE phrase "administration of justice" always reminds me of an incident which occurred during a parole hearing before the California Adult Authority. The applicant had a long criminal record and had been in prison several times. When the Board finished its questioning, the chairman asked him the usual question: "Is there anything more you would like to say in your own behalf before closing the interview?" Very fervently and emphatically, the prisoner said, "Gentlemen, all I want is justice!" At that he got up from his chair and walked toward the door; then he turned around and, looking a little sheepish, said, "I would like to change that statement. I think I have had all the justice I can take. What I really want now is mercy."

I don't mean to suggest by this that I am going to embark upon a philo-

sophical discussion of the meaning of justice or the degree to which justice should be tempered with mercy. It is important to emphasize at the outset, however, that not very long ago the administration of criminal justice meant principally apprehension, detention, a plea of guilty or trial, and the imposition of a sentence intended primarily as punishment—retributive punishment—which was society's revenge for a wrongful act and a warning to all others that similar acts would be dealt with in like manner.

And I need not review the history of crime and punishment except to make the point that, in a cruder and less complex society than ours, punishment more often than not entailed physical suffering and had no purpose other than retribution and deterrence. During the period of banishment England populated Australia and our own Carolinas with convicts; France created Devil's Island in French Guiana, and Russia sent peo-

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ple to Siberia. Extreme physical hardship and exile—among other expressions of the popular emotions in dealing with serious offenders—soon became impractical, and they also ran afoul of the rising tide of democratic feeling in the Western world as well as the basic tenets of Christianity.

Man has never been pleased, in his saner and more thoughtful moments, with what he has had to do to carry out the sanctions of the penal law. And from the very beginning, our republic has generally frowned upon brutal, savage, and unnecessarily severe punishment. This is expressed first in the Eighth Amendment of the Constitution: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted."

### **The Anomalies of Confinement**

Since America has prized liberty so highly, our leaders have always turned to loss of liberty as the natural punishment of a citizen who has committed a crime; confinement in prisons, reformatories, or correctional institutions of various grades and types became the preferred method of punishment. But we were not satisfied with this because it immediately raised the question of how much liberty should be taken from a man's life for one offense as compared with another. This problem has never been solved. There is wide disparity in sentencing laws among the many jurisdictions within this country, and even wider differences between this country and others. In addition, the sentencing practices of different courts within the same jurisdiction vary greatly.

Yet another anomaly is involved in the imposition of penal servitude, and it may be a greater crime against

society than that committed by the offender himself. We keep men in prison for long periods of time with the intention of releasing them eventually but we do not prepare them for release at all.

The growth of industrialization created other problems. Confinement wastes a great potential labor force. At the same time, the cost of operating custodial institutions has increased tremendously. Our prisons became human warehouses, living mausoleums, from which little but hostility, perversion, and degeneration could emerge.

Between 1951 and 1955 there was a complete breakdown of prison administration in most states, in some of their major state institutions—in the form of riots, mutinies, sit-down strikes, arson, kidnapping, and murder. In 1953 I was asked to serve as chairman of an American Prison Association committee charged with analyzing the causes of this breakdown and making a statement in the name of the Association which would interpret the findings to the public and to our political leaders. The statement was made in a pamphlet, "Prison Riots and Disturbances," issued in May, 1953. The opening paragraphs of this report said:

Prison riots should be looked upon as costly and dramatic symptoms of faulty prison administration. The causes of these faults may exist within the prison or outside of it. Therefore, a discussion of such riots must begin with a consideration of the basic causes of poor prison administration.

The immediate causes given out for a prison riot are usually only symptoms of more basic causes. Bad food usually means inadequate budgets reflected in insufficient supplies, poor equipment, poor personnel and, often, inept management. Mistreatment of prisoners, or lax discipline, usu-

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ally has behind it untrained employees and unwise or inexperienced management. And thus it goes.

The fundamental causes of prison maladministration may be categorized under a number of general heads:

- A. Inadequate financial support, and official and public indifference.
- B. Substandard personnel.
- C. Enforced idleness.
- D. Lack of professional leadership and professional programs.
- E. Excessive size and overcrowding of institutions.
- F. Political domination and motivation of management.
- G. Unwise sentencing and parole practices.

The above list is offered merely for emphasis and convenience of discussion. There is obvious overlapping between categories. Political motives of some nature are usually involved in budget making. Low budgets affect salaries and numbers of personnel, as well as overcrowding. Poor personnel affects professional programs, and enforced idleness is the result of political pressures.

Now, I do not wish to emphasize unduly the place of the adult prison in correction, but it is one of the oldest of correctional processes and in the public mind it is the most dramatic. Moreover, it is far from being the most effective. The gross question we face is this: what shall we do with the offender after he has been convicted—that is, marked by society for special treatment because of his behavior?

We must choose one of two courses. Either we can pin our faith on punishment and the threat of punishment, or we can exert every skill we now possess to bring about psychological and social changes in the offender, aiming at his rehabilitation as a free and responsible person.

The first has been tested for centuries, doing little good but providing

temporary control. The second has been a token of good intentions for 150 years but has never really been tried fully and fairly—for many reasons, some of which are:

1. Initially it costs much more than locking the prison gate.

2. We have not yet developed enough skilled professional workers to do the job even if the money were provided.

3. The political instability of both local and state governments has prevented the emergence of any significant number of really enlightened, objective, and able leaders in our field. Without able leadership, no program and no idea will go far.

4. We have confused, and the public has confused, constructive rehabilitative programs with the idea of softness or laxity in the treatment of criminals. Nothing is or should be further from the fact.

5. We do not keep adequate statistics and records; hence we lack the quantitative tools to test our own effectiveness.

6. We have done no really significant research to find the answers to the basic questions which must be resolved before we can be sure of the best techniques for handling each of the numerous types of human maladjustment which come into our hands.

The overwhelming majority of professional leaders in the correctional field are committed to the concept that while convicted offenders must be controlled, they must also be trained and treated to the fullest extent to which our knowledge and resources permit. Therefore, at every point on the correctional clock we must make the best choice available to us in determining what can best be done with each offender. The first question we

must ask is, how many must be institutionalized for *any* period of time (remembering always that institutionalization at its best—or at its worst—is the most expensive of the several choices available)?

### Jail after Arrest?

First of all, what shall we do after arrest and preliminary hearing? I recently made an inspection of the Los Angeles County Jail, which serves a population of almost six million. This institution is located on the top floors of the Hall of Justice and is designed to deal with people awaiting disposition by the courts. It has a capacity of about 900. On the day of my visit it had 3,001 occupants. Some of them would be set free, some would receive fines, many would receive sentences to other county facilities for misdemeanor offenses. A smaller number would be convicted of felonies for which the law prescribes the possibility of a prison sentence. Of these, 45 per cent would be placed on probation, 20 per cent would have their charges reduced to misdemeanors and sent to county facilities, 27 per cent would be sent to state prison, and 8 per cent would go to the Youth Authority.

Now, the question arises, how many of these men and women could safely have been released on bail or on their own recognizance? I make no pretense of knowing what that percentage is, but I am sure that it is substantial. Explosive population growth is taking place in California, especially in southern California; the county authorities estimate that by 1970, assuming that present practices continue, Los Angeles County will need a detention jail, or jails, with a total capacity of 5,000. Such a facility will cost the taxpayers fifty million dollars, plus

several million dollars a year for operating costs. From my own experience I know that it would be unrealistic and naive to release any large percentage of these detention cases arbitrarily and expect them to appear for the judicial proceeding. I do believe, however, that careful screening of these persons by skilled interviewers and investigators during the first few days after arrest would make possible releasing a substantial percentage of them, without risk to the public welfare and certainly at a great saving. Every release would mean circumvention of the tremendous social damage wrought by the moral contamination that occurs in these jails, which were referred to many years ago by Fishman as "crucibles of crime." Some of the money to be saved on construction, food, and institutional supervision would necessarily have to be spent for investigators, counselors, and classification personnel.

I am not the first to observe that the county jail—of which there are more than three thousand and which process about four million people a year—is the lowest form of social institution on the American scene. A few are intelligently managed, but almost none is given enough money. While I readily grant the necessity for places of temporary detention for most offenders, and for more prolonged detention for many offenders, this initial step in the correctional process is often more destructive than corrective. We are in desperate need of innovations which will show us how to deal with this problem more decently and effectively. Immediate public protection and police control must be provided without the vast social and psychological damage that has been so obvious to every student of this problem for the past fifty years.

### Jail

What of the woman who is a woman of bad repute and minor offenses in a local jurisdiction? A few days in the jurisdiction kept confined in the detention house handled in cases awaiting trial years later. I commend the state misdemeanor cooperative five or six months; I do not. California establishment but no time able to agree one can see recommendation but—so far. Many of the some of the several large operate in (Rikers Island). San Diego County, a California jurisdiction excellent metropolitan misdemeanor however, adequate or aftercare. In 1938 was the first Jail Association with the construction of institutions of the institution. Here and



### Jail for Misdemeanants?

What do we do with the man or woman who is convicted of a misdemeanor and sentenced to confinement in a local jail, usually for periods of a few days to a year? In the small jurisdictions, where these persons are kept confined in the same jail with the detention cases, this problem is handled no better than that of the cases awaiting adjudication. For many years leaders in correction have recommended the establishment of either state misdemeanor farms or regional misdemeanor institutions operated cooperatively by several counties. Only five or six states operate such institutions; I do not know of any regional one. California law has allowed the establishment of one for many years but no two counties have ever been able to agree on a program. All anyone can say at this point is that the recommendation is theoretically sound but—so far—politically unworkable.

Many larger jurisdictions are making some progress. New York City and several larger New York State counties operate misdemeanor penitentiaries (Rikers Island is the city penitentiary). San Diego County, Los Angeles County, and Alameda County in California are examples of populous jurisdictions which have established excellent institutions outside the metropolitan areas for the sentenced misdemeanor. Generally speaking, however, few local institutions have adequate work, medical, educational, or aftercare programs.

In 1938 I helped to organize and was the first president of the National Jail Association, which was established with the hope that something more constructive than mere storage of millions of human beings in short-time institutions could be accomplished. Here and there, after twenty years,

hope glimmers; and at least we have some clearer notions today than we had then of what constructive things might be done to rehabilitate and redirect the petty offender. But extremely little general progress has been made. The petty offender is not so much a menace to society as he is an expensive nuisance. For decades in practice we have hung our hope on the idea that sooner or later, if we harass these people enough, throw them into jail often enough, and "float" them from town to town, they will see the light and become honest, upright citizens. We all—policeman, correctional worker, social worker, psychologist, psychiatrist—know that we are merely chasing this problem—which in volume alone is frightening—through a huge revolving door.

The decision we must make at this juncture is whether many of these people could be supervised better in the community if we had good local probation services, outpatient clinics for alcoholics, and public psychiatric clinics. Neither more use of probation nor community clinics is a panacea; but what we are now doing serves little useful purpose. While police and jailers alike grow cynical in their frustration, no one seems to have the authority, or the money, or the will to examine the whole problem and demonstrate how it can be met.

We are doing a poor job of correction with the short-term offender—and that is the understatement of the day. In this country, which places so much trust on the basic values of local government, this challenge to local government has never been met. I hope that some community in the near future will create a model arrangement which will demonstrate to the rest of the country how the misdemeanor should be handled.

### Probation and Parole

Since the turn of the century, a new concept and a new practice have entered into the treatment of offenders: that convicted offenders may under certain circumstances be rehabilitated without being institutionalized. This idea has taken two forms, probation and parole—supervision in lieu of institutionalization, and supervision following institutionalization—both under prescribed conditions, upon violation of which the offender may be committed or recommitted.

The arguments advanced in favor of both forms are varied and compelling.

First, there is the economic. The cost of reasonably good supervision in the community is about one-tenth that of holding in an institution. And men in institutions are a great economic waste of manpower; in the community, under close probation or parole supervision, they are required to work—not only supporting themselves and contributing to the economy, but also supporting their dependents, many of whom would otherwise be on public relief.

Then there is the social argument—that by and large these persons are inadequate human beings, emotionally unstable, morally irresponsible, and socially maladjusted. This being the case, supervision, assistance, and guidance by trained caseworkers should be helpful in stabilizing a large proportion of these persons socially and psychologically so that they can carry their own weight and avoid continued illegal and antisocial behavior.

Not long ago a lawyer in one California county wrote a letter to the governor recommending himself for appointment to a judgeship of the

superior court. He gave as his major qualification for the job, in addition to membership in the bar, a pledge not to grant probation to any criminal appearing before him. Needless to say, he was not appointed, but this illustrates an extreme point of view which, if followed universally in our state, would add about sixty million dollars a year to the tax bill and require the construction of from two or three times as many prisons as we now have, at an additional cost of more than 200 million dollars.

### The Professional's Criticisms

Some criticisms usually leveled at probation and parole by the public and by police agencies are also made by specialists themselves. One of these is that we have not yet arrived at scientifically sound standards to guide the courts in the selection of persons for probation, or of parole boards in the granting of discretionary parole release from institutions.

A recent study of probation in California illustrates the rather obvious lack of unanimity of policy with respect to this matter. It revealed that while 43.5 per cent of all felony convictions in the superior courts of the state are granted probation, this percentage varied from county to county and from court to court from 10 per cent in some jurisdictions to 92 per cent in others. (Excluding the smallest counties, which have very few cases the variation is from 12.5 to 62 per cent.) Further analysis indicated that some of the widest disparities existed between adjoining counties almost identical in economy, social structure and ethnic composition of the population. The difference in practice must come, then, from the difference in attitudes of judges, prosecutors, and probation officers. These judgments

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are obviously influenced far more by prejudice and emotional considerations than by professional standards established by scientific analysis.

Another criticism coming from professional students of correction is that financial support is inadequate to maintain caseloads sufficiently small to make the theory of case supervision operative. A probation or parole office can give minimum supervision under normal circumstances to not more than sixty cases. The National Probation and Parole Association recommends a caseload of not more than fifty. I have personal knowledge of situations in which one probation officer is supposed to supervise as many as 350 probationers, and other situations in which one parole officer is responsible for the supervision of all the parolees in the state.

Another criticism of these services is the lack of personnel standards in many jurisdictions. The larger, better organized jurisdictions will usually have a merit system with reasonably good salary scales and minimum qualifications for entry to the service. On the other hand, there are instances like the small jurisdiction in which a fifty-year-old housewife who happened to be the widow of the late court bailiff was appointed a probation officer.

What I am saying is that probation and parole hold great promise, but they must be implemented with sound standards and high levels of professional competence among the administrators and officers charged with this work.

I would not wish to leave the impression that the parole and probation supervisory services are generally inadequate or inept. As we gain more experience with them, as our person-

nel becomes more professionalized, and as these services are given support by other community resources, they will continue to grow in strength. Potentially they can vastly reduce the cost of dealing with the convicted offender and at the same time reduce recidivism.

### Community Resources

I referred to the need for supporting these agencies with other community resources. Even the best trained probation or parole officer, no matter how energetic or how dedicated he may be, cannot be expected to meet by himself all the needs and problems of his diverse caseload and the associations with which they are involved. He needs, for example, help in finding jobs for these persons by a specialized employment service which can help this difficult clientele. He needs the cooperation of employers and the cooperation of organized labor. Also, he needs to have clinics to which he can refer cases of severe emotional maladjustment. He needs to have a close understanding with the police agencies of his community, an understanding which will insure that neither agency will compromise the work of the other, thus avoiding unnecessary friction and mutual criticism. He needs the resources of social agencies, religious groups, and public welfare organizations.

Successful rehabilitation is difficult at best. Unless caseloads are realistically small, officers are thoroughly qualified for their jobs, and the other resources of the community lend a helping hand, it cannot be expected.

### Supervision of Released Prisoners

In the public mind all releases from institutions are thought of as "paroles." But offenders may be re-

leased from prisons or correctional institutions by discharge at the expiration of sentence, by pardon, by parole, or by mandatory statutory release. The number released by executive pardon is so small that it can be ignored in this discussion. Almost all misdemeanants and a substantial proportion of state prison inmates are released without any supervision whatever at the expiration of sentence. The federal prison system reports that 46 per cent of those released during the year ending June 30, 1957, were discharged without supervision. In a few states almost 100 per cent are released without supervision. In California, about 20 per cent are released without supervision. According to the latest report available to me, Washington releases no one without supervision. Thus, we have wide disparity with respect to postinstitutional supervision of adults.

The general practice is to provide some kind of supervision for juveniles released from correctional institutions.

Some releases do not require supervision either for their readjustment or for the protection of society. And it would be impractical to attempt to supervise some types of releasees under our present system (the most obvious example being the nomadic misdemeanor alcoholic). The time may come when we will find a scheme nationally organized which will enable us to bring these persons under control and require them to submit to rehabilitative measures. Before we reach that point, we'll have to do a better job of supervising released felons.

Sentencing and release laws differ widely. Some states, such as California, have an indeterminate sentence law which gives wide discretion to the paroling agency. The legislature re-

gards this law as a mandate to provide postinstitutional supervision for as large a percentage of releasees as practical. In other jurisdictions—the federal government is one—a definite sentence is pronounced by the courts, with a provision for eligibility for parole at one-third of the sentence; the federal court can also fix eligibility at less than one-third, or can leave time of eligibility to the board's complete discretion. Other states have a modified indeterminate sentencing practice so that the judge specifies both the minimum and the maximum term.

The 1957 *Annual Report* of the United States Board of Parole indicates that less than one-third of those released from prison were released on parole (as opposed to discharge or mandatory release). It is to be assumed that this was the most promising third. The report goes on to say then that four out of five make good on parole, but no records are available as to what happened to the other two-thirds who were released without parole. I cite this not by way of criticism, but only to call attention to the disparities of boards' actions and laws and consequently the impossibility of comparing one state's or one jurisdiction's parole statistics to another's.

I believe in the principle of parole. I believe in the desirability and the efficacy of supervising most men, women, and juveniles, for at least two years after release—and in some cases for much longer. But the public does not. Its misunderstanding is due to the confused and inadequate manner in which parole is administered. This is a nation-wide problem, not because a few parole boards have made occasional mistakes in judgment, but be-

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cause we have no consistent policy throughout the country; we have no clear-cut standards of release criteria, or of caseload size, or of supervision techniques.

We should remember that probation and parole are relatively new ideas in the correctional process. They are barely half a century old, and their widespread use has developed within the lifetime of most adults now living. They are growing and maturing, and they hold great promise for the future, but new developments and new programs based upon research must be demonstrated in practice and old practices must be constantly re-examined if probation and parole are to realize their full potentialities.

### Three Kinds of Institutions

Until quite recently in this country, commitment to an institution has been the preferred treatment for the convicted offender.

Three types of institutions are generally accepted. First, of course, is the prison or penitentiary, for adults convicted of felonies. With rare exceptions these are operated by the state or federal government. A few jurisdictions can still commit felons to county institutions, or misdemeanants to state institutions. But the general pattern is that adult felons are committed to state-operated prisons.

Correctional schools and institutions for wards of the juvenile courts represent a somewhat different group of problems. In many states they are administered by an agency separate from that which administers the adult prisons. The question of who may be sent to a correctional school instead of to a prison is inseparable from the diverse attitudes of the public on the question of what to do about the

juvenile delinquent and the further question of when a juvenile delinquent becomes an adult criminal. The upper age jurisdiction of the juvenile court varies from state to state from sixteen to twenty-one. In the Eastern states the most common age limit for juvenile court jurisdiction is sixteen; in most Western states it is eighteen but in a few it is seventeen or twenty-one. This variation is an expression of our society's confusion as to the age at which a person should be treated as an adult for purposes of criminal prosecution, and when he should be treated as a child.

And, since a child does not become an adult overnight, we have a chronologically and psychologically intermediate group of persons between sixteen and twenty-five who contribute most heavily to the criminal problem and to our confusion as to what we should do about it. In spite of the fact that we have had reformatories in this country since 1880 for this age group, we still have no clear-cut well-understood program for its treatment.

### Prisons for Adults

State and federal prisons for adults have a current population of about 190,000 men and women and an annual turnover of about 96,000. Only about 2 per cent die there; the remainder are released after periods ranging from about six months to as much as forty or fifty years. The average time served by offenders released from prison in most jurisdictions is between two and three years. Administrative and operating problems of maintaining this huge establishment for persons held in custody against their will are difficult and complex; in addition, the nature of



the American prison is constantly changing.

For a long period in the beginning, when the nation was young and there was an acute shortage of manpower, public administrators were little concerned with ideas of readjustment to society, the prison was primarily an instrument of punishment, and the labor of the prisoner was exploited for the benefit of private interests under the old contract system. This type of prison management came to an end during the 70's and 80's. From then to the First World War, an effort was made to industrialize the prisons to make use of the prisoner's labor for the benefit of the taxpayer. The warden who could claim that his prison was 100 per cent self-supporting, or nearly so, was considered the most successful. During both of these periods little concern was expressed for the welfare of the prisoner as a human being or for the notion that the public interest might be served by exerting some effort and spending some money on controlling the future behavior of these persons. The outstanding exception was the work of religious groups. From the very beginning of our national history, the Quakers made this problem one of their major social concerns. The standard formula for prison treatment was then "religion and hard work"—not a bad formula, had we been able to apply it with full public and political support. However, the bottom began falling out of this program more than forty years ago.

For a long time the country has been becoming more materialistic in its outlook, and religious programs were often more tolerated than supported by the political managements in the institutions. Both organized

business and organized labor began a campaign to curtail the use of prison labor. Both the federal government and the state governments have gradually been placing more limits upon the disposition of prison-made products. Since 1930, except for the period of the Second World War, when most of these laws were suspended, from 20 to 40 per cent of the prisoners in most state prisons have been without constructive work.

During the last forty or fifty years also the behavioral sciences—psychology, anthropology, sociology, and psychiatry—have been developing and reaching maturity. Each of them has its special application to the disordered behavior of criminal offenders as well as to the behavior of the rest of the population. Having gone through the first five years of this decade—one of the most stormy challenges to prison administration in our country's history—we are now faced with the necessity of taking a new look at our prisons, of revamping our programs, and of establishing new sets of values.

### Prison Administration

Several years ago I made a survey of the laws of the forty-eight states to discover what were the various forms of administration of state correctional services. I found nine different methods of state administration, and even now it would be difficult to find two states with identical systems. In some states, especially the small ones, the institution head is appointed directly by the governor without any intervening authority; others have a multiplicity of different kinds of boards, or of organizations in which the correctional system is integrated into other state agencies responsible

for public welfare or public safety; still others have a separate department of correction, headed by a professional administrator responsible either directly to the governor or to an intervening lay board.

This last structure—a separate department with a single administrative head appointed either by the governor or by an intervening lay board—appears to get the best leadership and the best administration; it is the organizational pattern preferred by the American Correctional Association, particularly in states of large population and many institutions. Needs differ according to size. A department of correction like California's, Michigan's, or New York's would hardly be justifiable in a state like Nevada, Utah, or Delaware. On the other hand, the principle is the same; the correctional function is important enough and difficult enough to warrant leadership at the top level of state government which need not dilute its attention to correction by attending to the needs of other state functions.

Now, what does the public have a right to expect of a prison administration? Its most obvious expectation is security. When offenders are deprived of their liberty for the protection of society and committed to a state prison or reformatory, the public quite properly expects enough restraint to prevent escapes and unnecessary risks to the lives of employees.

A close corollary to security is orderly administration within the institution, which will prevent violence, criminal acts, and lax or dishonest administration. The ideal is a professional, nonemotional approach to dealing with inmates which will keep the controls in the hands of manage-

ment, and the exercise of just that much restraint and threat of force absolutely necessary to carry out the basic purposes of the institution. Unnecessarily harsh discipline and rigid regimentation is often as destructive as extreme laxity.

Prisons are not only filled with people, they are also run by people. Raising the standards of prison personnel and inculcating in them the professional attitude toward their work is an overriding necessity. If I were asked to name a single factor of more importance than all others in the improvement and advancement of prison administration, I would say, without hesitancy, a well-organized and aggressive program of personnel development and training. Good personnel will beget good programs, and good programs will attract good personnel.

### Constructive Programs

Beyond the obvious and essential housekeeping functions required to run any institution, the first concern of the institutional manager should be to provide constructive programs which will fill the otherwise empty days of the inmates with activities which will prepare them for the day of their release.

The first step in such a program is diagnosis. Each newly admitted prisoner should be thoroughly studied and investigated as a human being and as a member of the social system of which he is a part. Knowing only his offense, age, race, and previous criminal record is obviously not enough. Every bit of knowledge about him which professional skill can uncover should be recorded and analyzed.

The next step is classification and induction into a program. Because

prisons can sometimes do a person more harm than good, you have to ask yourself these questions about a prisoner's program: (1) Is it safe to place him in this program? (2) Does it reduce to a minimum the possibilities of damage by imprisonment? (3) Is it suited to his needs? (4) Are the probabilities in favor of its having a constructive effect on his future outlook and behavior? (5) Will placing him in this program deprive some more hopeful case of the opportunities afforded by limited facilities?

Obviously, we cannot discuss in detail all the desirable programs which should be in force in a correctional institution, but certainly they should include constructive work, vocational training, education, recreation, religious worship and instruction, counseling, casework, and psychiatric treatment.

The institution manager who feels he is doing an adequate job merely if he maintains control and has few escapes and no riots falls far short of meeting a proper standard.

### **Institutions for Youthful Offenders**

Some of the things which I have said about prisons apply with at least equal force to the so-called intermediate institution, the reformatory or correctional school for young men, aged seventeen to twenty-two, convicted of felonies. Part of our confusion in dealing with this class grows out of the fact that some young men at twenty-three are less mature in their outlook and behavior than others of eighteen, and consequently, while I am convinced of the necessity for a separate institution for this intermediate group, I am also convinced of the need for flexibility in assigning young men to the separate institutions. Very

often an especially immature boy of eighteen or nineteen will fit into a program for boys of fifteen or sixteen much better than one for an older age group. Another problem less often recognized is that a certain percentage of eighteen- and nineteen-year-olds are extremely troublesome and difficult to deal with in the reformatory but will adjust readily in a prison. Distinguishing one type from the other should be the function not of the court but of the state correctional agency. The flexibility which permits us to move older boys from the Preston School of Industry (our correctional school) to the Deuel Vocational Institution (our reformatory), and vice versa, and to move young men from Deuel to the medium security prison at Soledad, has been a blessing appreciated by inmates and management alike.

It is usually easier to obtain facilities for education and other types of treatment for the intermediate age group than it is for older offenders, but some special problems are worth mentioning. The intermediate group is screened far more thoroughly in the counties which have good probation services than are older offenders. The intermediate age group is more unstable and is far more difficult to handle in the institutions. In addition the tendency is not to keep persons in custody as long as the older group (beyond twenty-one) is kept, and to pin our faith pretty largely on trade training.

This is still a sound portion of the program, but it has two weaknesses: first, because of the short period served, a boy is released usually when he has just gotten started on the road to learning a craft (consequently, if there is not a close tie-in with the sub-

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sequent apprentice program while he is on parole, the investment in his training is largely vitiated); second, this group has a disproportionate number of emotionally maladjusted young men in desperate need of psychiatric treatment and counseling. The two things this group needs most beyond the restraints of the correctional process are instruction in how to earn a living honestly, and treatment for emotional maladjustment. Both of these cost money. Per capita cost at an intermediate institution fulfilling its purposes can be expected to be 50 per cent more than at adult institutions. If the institution is small, the unit cost may be more than double.

Many experienced men believe that, by and large, the reformatory movement has been a failure, that these institutions are often not as good as many of the adult prisons. One part of the fault is the law which permits the courts to sentence directly to a reformatory, which means that many injected into its population are persons who do not belong there and who damage the program for the rest of the inmates. Another part of the fault is the failure of the political administration to provide funds to support an adequate program. A reformatory can become as much of a storehouse as a maximum security prison.

### **Institutions for Juveniles**

Correctional schools for wards of the juvenile court are fitted into the structure of state government in as diverse ways as the prisons are. In some states they are in the department of institutions; in others, under the department of social welfare, the department of correction, or a youth authority. Since the advent of proba-

tion, which had its first and most vigorous growth in the treatment of young offenders, correctional schools have been getting an even more negative clientele than have the intermediate institutions and the prisons. And it is also wrong to assume that these places are primarily for young children. Although most state laws permit commitment of children as young as eight, commitments of children under twelve are rare and the average age is likely to be about fifteen. This type of institution was originally conceived primarily as a disciplinary school for school age children who were as much neglected as delinquent. Since most of the children committed to these institutions were of school age, the institutions have always maintained academic programs, often very closely patterned after the public schools, and have offered some vocational training, which is often very lean because it is expensive. The managers of these institutions have usually had the attitude that badly adjusted, emotionally unstable, and near-psychotic cases were not suitable for their schools, but unfortunately there was no place else to send them. The obviously psychotic could go to mental hospitals; the obviously feeble-minded could go to schools for the feeble-minded; but a substantial number who were neither insane nor feeble-minded have been pushed into these schools because they were not amenable to community supervision and the institutions were not prepared to deal with them. Many of these youngsters are far more in need of psychiatric treatment and the understanding guidance of a responsible adult than they are of anything else. This small number of hard-core difficult-behavior children with problems emerging

early in the teen-age period and not dealt with adequately in most of our correctional schools has been the recruiting ground for the habitual criminals of ten and fifteen years later.

A few years ago some of our state judiciary became so distressed at the inadequate means for dealing with such youngsters that they prevailed on the legislature to have an interim committee make a full investigation of the whole problem. The committee concluded that the treatment of these persons, no matter what it costs, should be provided when they are first identified, not later when their criminal activity may cost many thousands of dollars and perhaps many human lives. Accordingly, three psychiatric treatment teams have now been established under the jurisdiction of the California Youth Authority in three of the correctional institutions to deal with this special problem of the so-called "acting out" delinquent teen-ager who is not feeble-minded or psychotic. The annual per capita cost of operating these programs seems shockingly large in comparison with the figures to which we are accustomed. We must look upon these programs as experimental, but if they can prevent as much as another 10 per cent of those who pass through them from graduating into the rank of habitual adult criminals, the price is still very low.

Let me recapitulate by listing some particulars on which special emphasis is indicated.

1. Better standards of selection and diagnosis of offenders at the court level before the imposition of sentence.

2. Community programs aimed at identifying criminal behavior at its

inception. Criminals and delinquents are not born—they are made. They are made in the families and in the communities. The police and the correctional agencies cannot perform miracles; most of the damage has been done before we get hold of the problem.

3. Better implementation of probation and parole: More officers, better officers, better standards, more resources, more cooperation with other community agencies.

4. Fuller implementation of training and treatment programs in all types of institutions.

5. Breaking through the barriers of misunderstanding between the various agencies dealing with specialized features of the administration of criminal justice. I am always distressed at the mutual lack of understanding between probation and parole workers and institutional staff, between institutional staff and police, between police and courts, and so on around the circuit. We are all doing the same thing. We are—or should be—a unified, thoroughly coordinated, mutually supportive system for dealing with one of the most perplexing problems of our times. Perhaps much of the mutual criticism would be overcome if we got better acquainted.

6. Acquiring a whole new set of skills, some of which have not yet even come into existence. Two years ago no one knew how to put an artificial moon into orbit; now it has been done many times. Only a few years ago we knew nothing about how to immunize people against polio—we could go through the whole gamut of new developments and new skills that have arisen one after another in the physical sciences during our lifetime. How has it been pos-

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sible to do this? By *research*, by applying the tools of science to finding the answers to a question. In the administration of criminal justice, and especially that phase of it concerned with the treatment of bizarre types of maladjusted offenders, we have more questions than we have answers. We can't expect to get the answers except by the approach that has been used in other scientific endeavors. The type of research we need is expensive, difficult, and time consuming. We must have a good deal of it, and it must start at once.

I am willing to predict that twenty-five years from now we will know so much more about how to deal with the types of cases that perplex us now that we will wonder how we could have been so stupid! But I can make this prediction only on the assumption that vast sums of money and a sizable corps of able, dedicated researchers will be devoted to finding

these answers. I certainly couldn't predicate such progress on the assumption of time and history alone, because I know from my own experience that we do not have many more answers today than we had twenty-five years ago.

No country in the world is as dedicated to developing human resources through education, recreation, and character building as we are. We spend billions on these community efforts. But when they fail, in a small percentage of cases, we grow angry and can think of no better remedy than to get tough—even though we know it doesn't help. Consequently some people assume that if extreme toughness doesn't work, extreme softness will—a reaction that may be even worse than toughness. Each is emotional. What we need is scientific objectivity and an unremitting search for new knowledge, new skills, and new methods.

# Correction's Sacred Cows\*

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**W**HAT we consider modern in criminology is hardly 200 years old. To be sure, better ways of dealing with offenders were attempted as early as 1682 in Penn's Great Experiment, which lasted until 1719, and in the program of Pope Clement in Rome in 1704. But it was not until Cesare Becarria in 1763 and John Howard in 1777 penned their famous *Crime and Punishment* and *The State of the Prisons* that criminology began the era which has continued down to our times. This era is one in which treatment of the individual offender for the better protection of society has become the central thesis of all criminology.

And when I speak of "criminology" I am not speaking only of the process usually associated with prisons, but rather of the whole social process of crime control. This process begins with the concept of prevention even before a crime has been committed; continues in the work of detection and apprehension by the police, the trial and disposition of the offender by the court, and supervision of the convicted person under imprisonment, probation, or parole; and may even extend to the exercise of clemency and pardon by the legislature and the executive.

In the evolution of this process over the past 200 years, certain notions have

developed which are often taken for granted by the average citizen, are regarded as sacrosanct by those engaged in the process, and are accepted with little question by those who purport to speak professionally for criminology in the texts. It is to some of these notions that I wish to call your attention. I intend to be critical—destructively so, if you please.

## Crime Prevention

The first sacred cow which should be sent to the slaughterhouse is the notion that crime prevention is primarily the function of the police.

O. W. Wilson, Dean of the School of Criminology at the University of California, says quite simply in his text on *Police Administration* that "Police duties may be classified . . . as . . . the prevention of the development of criminal and antisocial tendencies in individuals," etc.; and again, "The police department is created to prevent the commission of crimes, and no other agency has been created for this primary purpose."<sup>1</sup> In a whole chapter devoted to "The Prevention of Criminality," Wilson enlarges on this thesis to set up the police as the initiators, coordinators, and operators of a widespread program of crime prevention dealing almost exclusively with juveniles and ignoring the potential adult criminal. He proposes that the police shall "deal directly

\* From a paper delivered for the Symposium on Controversial Areas in 20th Century Criminology, at the 1958 meeting of the American Association for the Advancement of Science.

<sup>1</sup> O. W. Wilson, *Police Administration*, New York, McGraw Hill, 1950, pp. 2, 204.

with problem children" and "impose on offenders who are not persistent criminals requirements of conduct . . . in lieu of prosecution"—a course which he admits is "pre-judicial action," and he labels as erroneous the contention that "the police are not qualified, that their performance of these tasks results in an unwholesome experience for children, and that other social agencies are designed for this purpose."<sup>2</sup>

Authorities such as Paul Tappan, Pauline Young, Herbert Bloch, the late Edwin Sutherland, the National Conference on Prevention and Control of Juvenile Delinquency, and the International Chiefs of Police Association are extremely cautious and often in downright opposition to these assertions that prevention is a police function. Certainly an examination of actual police programs shows that these broad claims are not supported by the facts.

However, without going into the unrealistic aspects of this presentation, we may point to another phase of it which is far more significant and dangerous; namely, that when the police assume and persist in their claims to such wide functions, those other agencies in society that are supposed to have the job of prevention are inclined to "let George do it." The result is that this sacred cow often successfully stymies an intelligent and organized program of crime prevention—both juvenile and adult—which is the responsibility of the home, the school, the church, and those other character-building organizations of society especially qualified (as the police notoriously are not) to undertake the work of "prevention of the

development of criminal and antisocial tendencies in individuals."

Without doubt the police have an important part to play in such a program, one which involves the discovery of crime hazards and the referral of potential criminality to the proper authorities. But let us not saddle the police with responsibility for "the prevention of the development of criminal and antisocial tendencies in individuals"—a responsibility which calls for the training, wisdom, and experience of parents, and of teachers, ministers, psychologists, and many others not to be found on the police force.

### The Police

The police are giving less and less attention to crime and criminals and more and more attention to what may be called noncriminal activities. These include duties having to do with inspections of buildings, services, and utilities; attendance at parades, weddings, dances, funerals, and other social activities; the operation of Boys Clubs and camps; traffic control, including not only directing traffic but also giving drivers' tests, inspecting motor vehicles, lecturing on safety at schools, and investigating accidents; operating ambulances; delivering babies; conducting a lost and found department; acting as a center of information, and in general what a manual issued by the Los Angeles Police Department describes as "controlling the conduct of society." To these Wilson adds "protection . . . against harmful acts, both willful and inadvertent, of the noncriminal as well as the criminal class," "protection against immoral conduct," and "the regulation of people in their non-criminal activities," all of which he

<sup>2</sup> *Ibid.*, p. 206.

includes under "the broadened social concept" of police work.<sup>3</sup> In one Midwestern city of approximately 100,000 population, the chief of police estimated that 90 per cent of the time and energy of his department was devoted to such noncriminal activities.

As the result of well-organized "public relations" on the part of numerous police departments, these activities are looming larger and larger as the principal function of the police. In contrast, the detection and apprehension of criminals gets less and less attention. The American people are being taught that "police service has been broadened to include certain aspects of social service for which the police are particularly well suited," including "cases of more than ordinary social-welfare significance, notably those involving the mentally defective, the very young, the very old, and family relationships."<sup>4</sup> It is difficult to combat so plausible an appeal at making the policeman a big friendly fellow who loves everybody. But if the correctional process is to function properly someone must concentrate on the work of detecting and apprehending criminals, a full-time job in itself. Since our police are not doing too good a job at these primary functions, perhaps we should avoid this big, gentle, cowlike concept of police work in favor of the stern, firm, and authoritarian figure who is supposed to be the terror of the wrongdoer.

### The Law

Of all the sacred cows in the correctional field, perhaps the mangiest, orneriest critter is the one known as The Criminal Law. In the last seventy-five years, the notion that the practice

of criminal law is a dirty, sordid business has become ingrained in the mores of our society and in the curricula of our law schools. Nearly fifty years ago, William Howard Taft, who later became Chief Justice of the Supreme Court, referred to criminal law in the United States as a "disgrace." Most law schools in this country recognize this point of view by offering no programs of specialization in this field of training; few students with a background in psychology, sociology, criminology, and human relations are encouraged to enter our law schools with a view to becoming specialists in the criminal law.

Why is this so?

Chiefly because the criminal law has made a sacred cow of a concept called "deterrence" and has insisted upon regarding criminality as an entity in itself which can be curbed or controlled by will power or by force rather than as the quality of an act determined by many factors of which choice and force are only minor. Except for policemen, lawyers, and judges, no one believes in deterrence as a major factor in controlling crime. (And here I do not mean repression when I speak of deterrence.) As a result we still sentence convicts for crimes committed rather than for the fundamental maladjustments under which they operate; we deal with symptoms instead of causes or basic problems. In spite of the fact that Dr. Benjamin Rush suggested the way out of this ignorance in 1787 and Enrico Ferri, the great Italian criminal lawyer and teacher, reinforced this point of view in 1881 and again in 1921 in the proposed Italian Criminal Code, American jurists with few exceptions continue to operate as though one could determine the pain to be

<sup>3</sup> *Ibid.*, pp. 2, 3.

<sup>4</sup> *Ibid.*, p. 3.

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inflicted on a criminal by measuring the pleasure he is supposed to have derived from his criminal act. To slaughter this sacred cow is one of the first requisites of an intelligent correctional process.

### The Prisons

Of all the areas of criminology, perhaps the prisons possess the biggest herd of sacred cows. Their names are legion. Let me list a few.

First, there is "prison discipline." Born about 1830, this sacred cow grew to such proportions that it became synonymous with penology, and in some quarters it still is.

It began with noncommunication, sometimes known as the silent or the solitary system, which, while long discredited, still survives in many limitations on prisoner visiting, mail, and contacts with the community.

It included degradation and deprivation, and while the shaved head and the striped suit are no longer fashionable in most prisons, the attitude adopted toward any person unlucky enough to land in prison is to regard him ipso facto as a pariah in society. "Treat 'em rough and give 'em hell" is popular today only in Marine briggs—and even there this philosophy has been having rough going of late; but the more subtle cruelty by which society pins the label "ex-con" on everyone who serves a sentence is even more degrading and lasts longer.

"Prison discipline" stood for "hard labor" until "teaching a convict an honest trade" had been accepted by a great many people as the be-all and end-all of imprisonment. Our laws state the punishment in terms of "hard labor" and our judges solemnly intone the sentence in terms of "hard labor," and thus, obeisance having

been given to this sacred cow, we send the convicted man to prison to rot in stultifying idleness. What nonsense! It is true that, except for the youthful criminal who is still in need of vocational training, the problem of criminality in 75 per cent of our cases is not related to the problem of work. So it does not matter too much. The chief damage done is that the public, fed on this sort of false premise, fails to grasp the true significance of treatment for offenders.

This prison discipline also proudly boasted that it treated every prisoner alike—it played no favorites. Such simple justice appealed to simple-minded people—even sometimes to prisoners. But it is one of the sacred cows that has begun to weaken only within the past twenty-five years and only among a small number of professionals who dare to defy tradition.

The list could go on and on: Subservience to rules, the petty whims of petty men. The prohibition against "fraternization," which in some prisons goes so far as to state, "Employees and foremen are strictly prohibited from holding conversation with convicts upon any subject disconnected with their duty or labor . . . nor shall they listen to any convict history, or to the history of his crime and case on which he was convicted." The injunction that "no prisoner is going to tell us how to run our prisons" while on every side the prisoners *are* running the prisons—they could not be operated without their help and cooperation. Sometimes it almost seems as though progress in penology—progress through chaos—is possible only because of the prisoners' determined opposition. It is probably not too bold to claim that in some states the only progress made in penology in the last



hundred years has been made as a result of prison riots.

Fortunately, many of these sacred cows are getting more and more emaciated and are becoming fit for the rendering plant. Indeed some of my colleagues have charged me with setting up straw figures in order to knock them down. Well, to one who began his career in penology when all these sacred old bossies were still bright and sturdy golden calves, I cannot help but hammer away at them if only for the sake of giving them the coup de grâce.

There still lingers, however, one sacred cow to which I should like to call your special attention. It is a sturdy animal, kept fat and sleek by the prison construction companies among others, who would have us believe that prisons must be built of toolproof steel with inside cells and all the clanging mechanism that goes with them, and that, like our automobiles, prisons must be bigger and more powerful. Otherwise, we are told, we would be overwhelmed by the wild men incarcerated in them.

In 1823, Elam Lynds and John Cray completed a prison at Auburn, N. Y., which was modeled after a punishment building in which escaped convicts had been housed in inside cells. The cellular idea had been inherited from the church, whose notion of penitence was to remand the guilty to medieval monasticism. In America the inside cell was an invention of Lynds and Cray to prevent prisoners from escaping. It consisted of rooms within a room with no access to the outer wall. In time this concept has become refined until now we have prisons with as many as 300 to 500 such rooms with conventional steel barred fronts in a single enormous shell. These massive

"monkey cages" have become symbols of modern imprisonment. "No other single factor," states a federal manual, "has so retarded the development and success of rehabilitative programs as has the lag in correctional architecture."<sup>5</sup>

Yet, in this same text, Chapter V, "Planning a Model Supersecurity Institution," presents a design which outdistances any prison built to date as an example of man's inhumanity to man. It is an inside-cell block-type of prison illuminated only by skylights. It too finds its prototype in a punishment block—the punishment cells in the old Charlestown (Mass.) State Prison, which were lighted only by skylights. Verily there is nothing new under the sun.

Of this structure Harry Elmer Barnes wrote in the second edition of *New Horizons in Criminology*, "this design is well-nigh perfect for a maximum security institution."<sup>6</sup> Fortunately, in the third edition, published in January, 1959, Professor Negley Teeters deleted this encomium. Is it too much to hope that the Federal Bureau of Prisons will follow suit and delete Chapter V from its handbook, publishing instead the more modern concepts of therapeutic community prisons to be found now both in this country and abroad?

Unfortunately, some local and state agencies, assuming that they were following the most modern plans, have erected skylight prisons for maximum security prisoners. The new state prison at Walpole, Mass., is such a struc-

<sup>5</sup> U.S. Bureau of Prisons, *Handbook of Correctional Institution Design and Construction*, Leavenworth, Kans., Federal Prison Industries, Inc., 1949, p. 2.

<sup>6</sup> Barnes and Teeters, *New Horizons in Criminology*, New York, Prentice-Hall, 2nd edition, 1951, p. 498.

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<sup>7</sup> Ibid.

<sup>8</sup> Barnes and Teeters, *New Horizons in Criminology*, 2nd edition,

ture. The designers got their plans from the construction offices of the Federal Bureau of Prisons—with or without the blessing of the Bureau. If the opinions of the men who are trying to operate this monstrosity are any criterion, the Commonwealth of Massachusetts is already heartily sick of its bargain.

Plans are now being considered for the abandonment of the federal prison at Alcatraz and the construction of another super-security prison somewhere else. On the abandonment of Alcatraz, everyone agrees; it has proved uneconomical and brutal. But with approximately 4,500 to 5,000 maximum security cells in existing federal prisons—most of them of the inside, monkey-cage variety—the Federal Bureau does not need more maximum security cells. Barnes and Teeters have stated "not over 20 per cent of convicts require maximum security custodial provisions,"<sup>7</sup> and again, "to erect a super-maximum-security prison in its [Alcatraz'] place is highly debatable."<sup>8</sup> Better to make such use as we can of those ancient bastilles at Leavenworth, Atlanta, McNeil Island, and elsewhere for intractables and devote the development of new prisons to the type of therapeutic communities which will meet the future of penology instead of the past.

No one is going to deny the necessity for keeping prisoners securely. This is the first duty of every prison man. Nor am I so naive as to believe that we are going to tear down these massive, monastic, medieval, monolithic, monumental monstrosities—even if they are unsound both cus-

totially and otherwise. These sacred cows are with us to stay for a long time. I urge only (1) that we know them for what they are—representatives of monkey-cage penology—and deal with them accordingly; and (2) because they are unnecessary and unsound, that we build no more of them.

But lest one think that sacred cows in our prison system are all of ancient vintage, let me call your attention to two golden calves which we have been worshipping in the name of modern penology: one is called "classification" and the other is the assumption that every member of the prison staff is a correctional worker trained and devoted to rehabilitation.

Thirty-five years ago there developed in some of our more progressive prisons a procedure which became known as "classification." It consisted of gathering a case history about each prisoner and setting up a program for him approved by a board of specialists. These three elements—the case history, the program, and the classification board—have become crystallized into a system which is almost sacred in progressive penology today. As a result we are being choked to death by files of prisoner information, so much that we have no time or energy for treatment. In this welter of information, the significant problems of prisoners are often lost sight of, and the programs designed for rehabilitation are little more than conventional routine assignments to activities available in a particular institution without regard to the individual prisoner's criminal tendencies.

And all of this is meticulously gathered for and solemnly reviewed by high-paid specialists sitting on classification boards. The results are that \$50,000 worth of effort is often devoted

<sup>7</sup> Ibid.

<sup>8</sup> Barnes and Teeters, *New Horizons in Criminology*, New York, Prentice-Hall, 3rd edition, 1959, p. 383.

to \$50 problems, and not enough pertinent effort is expended on really serious cases. Programs rather than problems have become the center of attention. The whole business is a hangover from the days when history-taking was the be-all and the end-all of social work, and while it did much to establish individualized treatment as part of the prison program, it has long since outlived its usefulness.

Dr. Ralph Brancale, a psychiatrist of national reputation, says of classification:

The average classification process . . . consists of little more than a check list of the inmate's deficiencies and assets, with specific recommendations for rectifying or exploiting each specific finding. The assumption behind this approach seems to be that an atomistically constructed picture of the patient's assets and liabilities, followed by a forced cementing of this into a hodgepodge semblance of personality structure, will automatically provide the basis for a prescription of treatment which is expected to solve all of the offender's problems.

This segmental approach to classification which is so prevalent in correctional institutions should be recognized for what it is: a superficial, impractical, nonintegrative approach which ignores the core of the problem of offenders and their personality structure.<sup>9</sup>

To meet this problem, it is time correction adopted a more professional approach to individual adjustment through well-recognized clinical procedures. These do not ignore case histories but they do make them secondary to the establishment of interpersonal relationships between clients and therapists, and they rank problem-solving above programs as a means of treating specific criminal tendencies in prisoners.

<sup>9</sup>Paul W. Tappan, ed., *Contemporary Correction*, New York, McGraw Hill, 1951, p. 193.

The notion that every member of the prison personnel is a correctional officer is so unrealistic as to fall of its own weight. However, this cliché is being preached in such high places that few dare oppose it.

Some prisons, as stated above, prohibit any conversation between a guard and a prisoner relative to the latter's problems; other so-called progressive prisons enjoin the guard to be both a security officer and a treatment officer. In these prisons, the officer has a wide range of duties, mostly security but with some vague responsibility for treatment. As a result neither security nor treatment is given a fair break. While it is true that all prison workers need to understand the nature of correction to be effective teamworkers, it is equally true that when good officers specialize in security and other equally good officers are properly directed to specialize in treatment, the best procedures for both will be developed. As it is, either we are producing a sickly sentimentalism which is downright unrealistic or we are giving only lip service to treatment.

### Probation and Parole

Since probation and parole are the latest innovations in 200 years of correctional history, we find fewer sacred cows in these fields than elsewhere. The Lord's Anointed Few have tried to make us believe of late that only one carrying a union card from the Social Workers is fit to work in this field, but they are having hard going to win worshippers of this golden calf.

Recently I received a letter from the judge of a juvenile court in a Midwestern state who was looking for a probation officer; he ended his letter by stating: "And don't send me one

of those social workers!" The director of social work in another juvenile court, herself a member in good standing of the NASW, complained to me that the graduates of schools of social work who were applying for jobs in her court knew a great deal about social work but nothing about crime and delinquency.

Personally, I am not against social workers. I am merely against the attempts of some overzealous souls who want to erect a sacred cow to social work.

In parole we have never had enough success to develop any sturdy sacred cows. Perhaps the blind faith in the "conditions of parole," which set forth *what a parolee may not do* on pain of revocation rather than *what he ought to do* to solve his problems, comes close to becoming a fetish. I have examined the official conditions of parole in many states. They deal mostly with rules against changing one's job, home, or marital status without permission of the authorities, and against associating with evil companions, getting drunk, or committing crimes. These are no doubt important for an orderly supervision of parolees. However, I have yet to see a single official presentation of parole conditions which state that the parolee must try to carry out the program set up to solve his particular problems and thus reduce his tendency to crime. In view of the recidivism among parolees, which stands at 60 per cent or better, some attention should be paid to problem-solving and treatment.

When Gaylord Hubbell, warden of Sing Sing prison, went to Europe in 1869 and came back to report enthusiastically on the so-called "Irish System" at the first meeting of the

American Prison Association in 1870, he apparently emphasized only two phases of the new system of parole—namely, penal servitude and parole; he left out the Intermediate Plan. The result has been that for over fifty years we have sought to establish a parole program in which one of the essential factors is missing. This, combined with the sacred cow called "rehabilitation," which assumes that prisons accomplish results which no prison ever has accomplished or ever can accomplish, has had a most disastrous effect on parole in the United States. Let me explain.

Decidedly limited as to personnel and facilities, prisons by their very nature can perform only a limited service; they can keep, observe, diagnose, plan, and train a little; they cannot rehabilitate. Rehabilitation occurs only under normal conditions in the normal society to which the offender belongs. The founders of the Irish System, Sir Walter Crofton and Sir Joshua Jebb, apparently recognized this and introduced, between penal servitude and parole, a period of social servitude, consisting of service in the community under the close supervision of prison officials. The significance of this Intermediate Plan was that it gave prison officials the opportunity to help an offender really make good in society before releasing him on his own under parole. It was a wise provision.

Recently, the military services have adopted a similar procedure in their Installation Parole. Wisconsin has been experimenting with its Huber Law for Misdemeanants, and Sweden, Norway, Denmark, Holland, and other European countries have been using a method called Private Pre-release, which is based on much the

same principles as the Intermediate Plan of the Irish System.<sup>10</sup> If the United States is ever to halt the extravagant and useless addition of more and more costly institutions for offenders, we must first trim the prison system down to size and then supplement it with a program of servitude in the community under strict and continuous supervision just as soon as the offender and society are ready for it. This is the next step in the evolution of twentieth century penology. And thus we shall slaughter, with one blow, two sacred cows—more monumental monstrosities, and prison rehabilitation—the one a menace, the other a myth.

#### **Coordinated Crime Control under Professional Leadership**

In spite of the fact that I have been trying to consign sacred cows to the abattoir, I cannot finish without offering a constructive suggestion.

The correctional process is not

<sup>10</sup> See *Prison Labour*, New York, United Nations, Department of Economic and Social Affairs, Publication ST/SD/5, June, 1955.

made up of six separate constellations—prevention, police, courts, prisons, probation, and parole—each whirling in space in its own orbit, and occasionally colliding with another. Rather, it is a single process and demands an integrated program under the unified command of a professional leader of the highest caliber on at least three levels—federal, state, and city. Because of the lack of such coordination and leadership, we are losing the war on crime in the United States.

Specifically, I propose:

1. That coordinated crime control programs which will include all six parts of the correctional process be established at federal, state, and municipal levels.

2. That professional coordinators of the highest caliber be chosen to direct these programs.

3. That such programs be placed under the judicial branch of the government, thus restoring the criminal law to a place of dignity and service, and giving to the correctional process a professional leadership now lacking.

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# Authority in Casework— a Bread-and-Butter Theory\*

DALE G. HARDMAN

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SOME years ago some of my family got together to build a house for my father. We were pretty well prepared for this, since in the family we had a carpenter, a roofer, a sheet metal man, a social worker, and a bootlegger.

We met at the building lot on the appointed day and said, "Okay, Dad, what kind of a house do you want?" Well, he thought he'd like a sort of meatloaf shape with large rooms; windows about this wide (indicating with his hands) and about this high from the floor. He wanted an old-fashioned fruit pantry about so wide, with shelves about this high, and so on through the house.

So we set to work. However, it soon became evident that no two of us were building the same house, and we had soon wasted half a day. We finally went back to Dad in desperation and said: "We simply can't get anywhere until we can see what it is we are trying to do. It's absolutely impossible to work without a *plan*."

On that day I learned something about carpentry, and also about social service: you must have a plan to know what you're doing.

In the social sciences we call such a plan a theory, or philosophy, or frame of reference. It is such a plan—a plan for authority in casework—that I should like to acquaint you with.

\* Presented at the National Conference on Social Welfare, May 13, 1958.

The value of a theory, says Guthrie,<sup>1</sup> is to facilitate communication between people. Unlike Guthrie's theory this plan is not designed for laboratory testing. It is a plan for practitioners—a bread-and-butter theory.

## Limitations

A plan for a house or for a social service faces certain restrictions:

1. It must conform to the setting. I can't have an eight-foot basement where there is a six-foot water table, for instance. During the war years we employed a conscientious objector in the receiving cottage of our institution. One day a husky boy pounced on another caretaker and began a tussle to get his keys. Our CO took one look, ran to the door, unlocked and flung it open, and the boy ran away. My plan, then, must be compatible with agency policies, rules, and standards.

2. My plan must comply with my unique personality requirements—my needs, goals, standards, and culture. If I am thirty inches wide, then twenty-four inch doors won't do: I'd get stuck. If my experience tells me that aggression is learned and my theory holds that aggression is innate, I will get stuck whenever I deal with aggression.

<sup>1</sup>E. R. Guthrie, Ch. II in J. McV. Hunt, *Personality and the Behavior Disorders*, New York, Ronald Press, 1944.

3. My plan must have an internal consistency. A friend of mine built a house with a bedroom which you entered through the bathroom. If you awakened some morning and found someone taking a bath, you could either wait for him to finish or you could climb out the window. It lacked internal consistency. A Rankian instructor I knew would not allow her students to use her first name. "In the world of reality," she said, "one may not call administrators by their given names. I will therefore help you to learn to adapt to this reality by daily practice in class." On graduation day she gave a social for her students. When a student addressed her as Miss Y she replied: "Charlie, you may now call me Jane." You may or may not like this rationale, but I would like you to observe that it has an internal consistency which is a thing of beauty. The Rogerians consistently and repeatedly insist that a client make his own decisions and assume his own responsibilities. Above everything else I believe they have achieved internal consistency.

If I seem to belabor this point, it is because social workers in the correctional field have lacked internal consistency. It is toward achieving this end that this paper is presented.

### Foundation

Like most houses, our plan calls for a foundation. The foundation upon which this house must stand or fall is this:

*The use of authority is not antagonistic to the principles of good social work or counseling. Further, the actual employment of authority itself—its skillful use and manipulation—can be a powerful therapeutic tool in social service.*

Contrast this, for instance, with Scheidlinger:<sup>2</sup> "This [authority] would be very undesirable as it would change the child's concept of the therapist as a warm, accepting, and nonpunitive person." Use of authority, then, makes one cold, rejecting, and punitive. Or consider a halfway station between these two views—Williamson and Foley:<sup>3</sup> "Disciplinary counseling may prove to be less effective than other types of counseling, because of the necessary coercive conditions under which it must take place." An apologetic approach to authority, at best.

Now note that I did not limit this assertion to the correctional field. This was not an oversight. "Positive Aspects of Authoritative Casework" would have been a misleading title for this paper because I do not believe there are two kinds of casework—authoritative and nonauthoritative. Every public welfare worker, school worker, child guidance worker, marriage counselor, and probation or parole officer must learn to say: "These are our rules; this is our policy. These are the limits within which you may operate." When we reach the point of having agencies without policy, then, but not until then, may we have social service without authority.

### Framework

We must have a framework for our house:

*Postulate I: Authority is inherent in all cultures. A society free of authority does not and cannot exist.*

<sup>2</sup> S. Scheidlinger, Chap. II in S. R. Slavson, *The Practice of Group Therapy*, New York, International Universities Press, 1947.

<sup>3</sup> E. G. Williamson and J. D. Foley, *Counseling and Discipline*, New York, McGraw Hill, 1949.

In any Utopia we will find a need for traffic lights, stop signs, and Form 1040. Two corollaries of this are: (1) One of the dimensions of socialization, and consequently of adjustment, is an individual's ability to adapt to authority. (2) Any measure of antisocial tendencies is largely a measure of the individual's resistance to authority.

If I were asked to name a half-dozen common conflicts which a social worker encounters, I would name dependency, separation and rejection, sex, status, and authority. (The sixth choice is yours.) I would guess that welfare workers most often encounter dependency conflict; child welfare workers, separation and rejection; marriage counselors, a high ratio of sex conflict. In the correctional field no conflict appears more frequently or intensely than conflict around authority.

Postulate II: *In a democratic society, all authority is derived or delegated authority. No person may exercise control or coercion over another except as this authority is delegated to him by society.*

What about parent-child rights, you say. Consider: If I attempt to turn back history and assume the right to sell or trade my child, for instance, I will shortly have one of these probation officers knocking on my door. Further, the moment that any social agency assumes any authority not specifically delegated to it, it's in trouble. Which is exactly why we have executive boards. I may exercise only such authority, then, as society delegates to me, whether I am a parent, probation officer, or playground director.

### Need for Authority

Postulate III: *Every person entertains both positive and negative feelings toward authority.*

At our correctional school we inherited several hundred wooden pallets from war surplus—large flat wooden racks. The boys from one cottage learned they could nail six or eight of these together to make a little shanty; permission was granted and soon we had a young shanty town springing up. I went to have a look at this budding young Utopia, and each boy took me to see the progress on his particular shack.

But before any individual shanty was finished, they stopped work on their own construction and jointly and cooperatively completed one large civic structure—the one and only social endeavor in their community. What do you suppose this was? I fancy that you will *not* guess it was a school or a church or a library. A beer joint, perhaps? A casino or bawdy house or some such den of iniquity? No, they built a jail. They built it first and they built it best. One boy proudly demonstrated its virtues by locking himself in for me. Now only three days before, this boy was in my office telling me: "You wanna know what'd make me real happy? A whole squadron of Russian bombers come flying over this place and drop about a million tons of bombs on it. I'd sit up there on that hill and watch the bricks fly and the smoke boil up and I'd just laugh and laugh." Furthermore, a month or two prior to this we were tearing out some old lockup cells. Every boy in the institution wanted a chance to wield a sledge hammer and knock down a few walls. And motivated! If social workers attacked their problems with

the zeal of those kids with the sledge hammers, I'm sure we could solve the problems of the world in a few months. Yet these same lads, so eager to smash any symbol of authority or restraint, were a few weeks later building a jailhouse. Why? We do not adequately describe authority conflict by saying they have resistance to authority. They also have some strong positive feelings: a need to be controlled, a need for a checkrein on their wild impulses—a need for authority. Ambivalence can operate here as well as in love relations.

Postulate IV: *As in other casework roles, the aim of casework in authority is to help a client understand and accept these conflicted feelings, and to learn new ways of controlling and expressing them.*

Dr. Schulze relates the story of a young social work student who entered the boys' dormitory in an institution and found a small boy in a tantrum, smashing the furniture to kindling. Her reaction was not unlike our conscientious objector's: she flung her hands in the air, screamed, and ran out. Because these workers were unable to come to grips with the problem of authority, these children were not helped to face or rechannel their conflicted feelings. On the contrary, their pathological behavior is reinforced when they learn they can control adults therewith.

### **Any Relation Can Be Therapeutic**

Postulate V: *Any interpersonal experience can be made therapeutic or nontherapeutic, helpful or harmful, by the way it is handled.*

In the January '58 issue of *Social Work*,<sup>4</sup> Zimmerman maintains that a school social worker cannot be a

truant officer. Yes, a social worker can be a parole officer or an intrusive caseworker, he admits, but not a truant officer. Why? Because school social work "is based upon a basic tenet of service." Service, then, is inconsistent with use of a truant officer's authority.

Now I have just said—and I'm stuck with it—that *any* interpersonal experience can be made helpful or harmful, according to its handling. First I must define my term "helpful" or "therapeutic": Any time that I help a client achieve a self-enhancing experience, so that he is better prepared to achieve other such experiences, this is therapeutic. Further, any time that I help a client to face a traumatic experience so that he is better prepared to face similar subsequent experiences, this is therapeutic. Facing negative as well as achieving positive experience, then, is therapeutic.

Is this a new definition? I ask you to reflect on your caseloads. In how many cases must you help the client make the best of a bad situation rather than eliminate the problem? How often must a client learn to live with a handicap, with an alcoholic husband, or with a neurosis? Are we nontherapeutic when we attempt these things?

Let's carry this postulate to the ultimate. *Any* interpersonal relationship would include death. Let's say I am warden of a prison, and as such it is my job to put another human being to death. The degree to which my work is therapeutic is the degree to which I can reduce the trauma of the situation. I understand that the period between conviction and execution is a little more than one year. I imagine that our prisoner will want something to keep his mind occupied during these long days. I believe he may want someone to talk to professionally,

<sup>4</sup> P. 95.

to ventilate some feelings. I will try to provide this. He may want to make his peace with God. I will try to provide him a clergyman. I am sure he will want to see friends and family during this interim. I once stood by while a young murderer said his last goodbyes to his family, a few hours before his execution. There is no question in my mind that this helped reduce the trauma of the situation—in short, that it was therapeutic. Is his total experience with me less traumatic than if he were in unskilled hands? Is my work, then, therapeutic by this definition?

Some highly pertinent inferences can be drawn from this definition. I will not attempt a job that someone else can do better; neither will I send someone else to do a job that I can do better. For instance, if I have a violator to be picked up, I don't send a cop to do the job. I do it myself. There was a time when I didn't believe this. I recall I once issued a pickup order on a juvenile parole violator and after his arrest I went to visit him in jail. The arresting officer had slapped him around considerably, called him various names, manhandled his mother, and otherwise abused his family. I said I was sorry he had had such a rough experience, but that he had to be brought in. He replied angrily: "Yeh, I know that. But you coulda come and got me yourself." Yes, I could have. Why didn't I? I could find volumes to rationalize my not going—filled with such phrases as "incompatible, inconsistent, and antithetical." But note that the boy did not think it inconsistent for his caseworker to come after him. What seemed to him inconsistent was that his friend and caseworker should send a sadistic cop to maul

him and his family around. I kept saying to myself: "This is for the boy's good—I must preserve our relationship." But this was not the *real* reason I didn't go after him. The real reason was that it was not therapeutic for Hardman. Whose needs, then, was I filling? How well did I preserve our relationship?

### Authority—a Tool

This leads us to Postulate VI: *The degree to which a worker can be helpful to a client with authority conflict is a function of (1) the degree to which the worker understands and accepts his own feelings around authority, and (2) the skill with which he uses his delegated authority.*

Again I assert that this dictum is not peculiar to correction. Last year I attended a case conference on a military post. It was the consensus of the staff that the client had symptoms which indicated referral to the Neuropsychiatric Clinic. The next question: how to get him there? We had the authority, if necessary, to send him over under military police escort, though no one anticipated this. The psychologist suggested: "Call his sergeant and let him make the referral. We'll let the sergeant be the bastard that sent him." (He was unwittingly paraphrasing Shakespeare: Some sergeants are born bastards, some achieve bastardy, and some have bastardy thrust upon 'em.

Now let's apply our dictum that we don't send someone else to do a job that we can do better. Why? Would the sergeant likely increase or decrease the man's anxiety about referral? Make the clinic's job harder or easier? Make the man more or less likely to bolt and go AWOL? What is the probability that the client will learn



from the sergeant, from the other non-coms, the clinic, or even from us, by some slip, that this was *our* idea? In my experience it is 50-50. Will this enhance our relationship? If we thought referral would help him, the client says, why didn't we refer him ourselves? If we thought it wouldn't, why did we send him?

Now suppose we *do* decide to refer him ourselves. "Private Z," we say, "we would like to get some expert opinion in your case. We would like you to see Dr. X, a psychiatrist at the base hospital. [Now note the next line.] What do you think about this?"

This was a good interview until that last line. Suppose he says, "I think the idea stinks." Or more likely, just: "Do I have a choice?" No, he doesn't. If we should let him choose not to go and he commits an act of violence, we are responsible. Then why ask him? Are we not, in effect, throwing him a few crumbs of spurious autonomy from our table? Our client, like most, entertains an impoverished self concept. Does it enhance his self concept to throw him crumbs? Would he not be more likely to feel like a worthwhile, mature person if we honestly and openly shared with him exactly where we stood and where he stood? When, at a later date, I insist that the client be responsible for his decisions, will he consider how I passed my responsibility on to the sergeant? Is this good teaching? Good correction? Good casework? Yet I will wager that the records of any social agency will reveal a hundred examples of such casework. Why do we do it? Why pass the buck to the sergeant? Why pretend that we don't hold and use authority when we do? Because we believe that he who executes authority becomes a bastard. In short, we suffer from the same illness as our client.

All of which introduces Postulate VII: *Authority need not be associated with hostility, punishment, or rejection, except as these traits inhere in the personality of the worker. Authority can be identified with love, acceptance, and understanding.*

A few summers ago I worked in a cerebral palsy camp. When we opened our swimming pool the director announced to the campers: "We are very sorry, but we can't allow you to swim alone. The Red Cross has a very strict rule against it." Now this was not a Red Cross camp. We had no affiliation with this organization. Yet we felt compelled to find some scapegoat to hang our authority on. Why? Because it's mean, punitive, and rejecting to use authority. But must it be so? Consider this approach to swimming rules: "We don't want you to swim without a counselor in the pool because we are concerned about you and don't want you to get drowned." I hold that this same approach is equally applicable to probation and parole, to school attendance work, to disciplinary counseling, or to protective agencies.

And lastly, Postulate VIII: *An outstanding—perhaps the greatest—service that a worker can render to a client with authority conflict is to provide a new and differential and therapeutic experience with authority.* Some of the aspects of this new relationship are:

1. Whenever I use authority, I will use it openly and honestly. Whenever I do anything to or for or about a client, I will tell him so. This means that I will never make a referral, recommendation, or report about a client without sharing this with him.

2. I will fully execute that authority, but *only* that authority delegated to me by the administrative agency. By following this dictum I avoid overuse or underuse of authority.

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3. I will make crystal clear in structuring with a client where my authority begins and ends. This will eliminate a vast amount of testing.

4. I will further clarify which decisions are mine to make and which the client must make. If agency policy includes increasing client responsibility (by such means as preparole honor cottage living, for instance), I will clarify each successive transfer of responsibility to the client.

5. I will steadfastly resist all of the client's efforts to alter my decisions by threats, tantrums, seduction, illness, etc. I will just as steadfastly defend his right to make his decisions and stand by them.

6. I will scrupulously insist that my client assume and face the responsibilities impinging on his decisions. And I will just as scrupulously stand by the responsibility for my decisions.

7. The exercise of authority will always be managed with empathy for

and understanding of the client's total needs as a person—a person always worthy of my interest, respect, and affection.

Mullahy<sup>5</sup> quotes Harry Stack Sullivan as saying: "Restraints, above everything else, bring about the evolution of the self dynamism." It is possible that it is rather the *balance and interaction* of authority and autonomy which engenders maturation and socialization? In either case—if either of these be true, or only partly true—then authority is a major dimension in the process of social adjustment. I therefore submit that for a person with antisocial traits to experience a fresh and wholesome relationship with authority is as truly therapeutic as for a dependent person to experience independence or an inadequate person to experience adequacy.

<sup>5</sup> P. Mullahy, *Oedipus: Myth and Complex*, New York, Hermitage, 1948.

# Standards for Chronological Case Recording\*

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**C**HRONOLOGICAL case recording in this court [the Kent County, Mich., Juvenile Court] is a narrative recording of the progress of a supervision case from the time the investigation is completed to the termination of the supervision period. It is just as important in the treatment process as the prehearing investigation report or the supervisory interviews themselves; if probation is to realize its full potential as an effective means of treating juvenile delinquency, each of these is essential. Interviewing should not have to be neglected to meet recording requirements, but interviewing tends to become routine and sterile if we have denied ourselves the insights, the goal-setting, the evaluation of case movement, and the planning which result from good case recording.

The question, then, is not whether case recording is necessary, but how much and what kind of recording is necessary to enable us to do the best possible job within the time available to us. This will be different in different cases and for different probation officers. However, certain policies must apply generally, certain procedures

need to be followed, and certain minimum standards must be met by all. This section of the manual outlines the policies, procedures, and minimum standards for case recording in this court.

## The Function of Case Recording

The function of case recording is essentially the same in all casework agencies. The purpose common to all records is the improvement of services to clients. Case recording helps to accomplish this in the following ways:

1. It serves as an organized means of preserving information which will be helpful to the caseworker in working with a case.
2. It serves as an aid to critical, analytical thinking about a case. It is thereby a tool for achieving insight, setting goals, and evaluating case progress.
3. It contributes to learning and the increase of skills by the caseworker.
4. It serves as a teaching device for supervisory personnel; it is also one means of evaluating the work of the caseworker.
5. It serves as a research tool for administrators and students.
6. It is essential to insure continuity of treatment during the caseworker's illness or vacation or when a case is transferred.
7. In a court setting, information contained in it often becomes the basis for legal decisions.

\*Included in the Kent County (Mich.) Juvenile Court's Manual of Procedure. It was written by Mr. Larsen in 1958, while he was supervisor of the court's field staff; the contents are the result of several months of discussion and experimentation by the entire field staff of the court.

### Administrative Standards

The minimum recording standards which all probation officers are expected to meet, in all supervision cases, are these:

**Standard 1.** The chronological history will begin on the date on which a disposition is made. The initial entry will contain a brief summary of the disposition together with a statement of the problems, goals, and plan of treatment in the case.

**Standard 2.** After the initial entry, brief factual entries will be made in the record on a monthly basis.

**Standard 3.** A quarterly evaluation summary of case progress will be made in the record.

**Standard 4.** Additional recording will be done as needed; e.g., in a crisis situation.

**Standard 5.** A summary of the case to date will be made whenever it becomes necessary to transfer a case to a different probation officer.

**Standard 6.** All recording should be kept current and must be done within thirty days after it becomes due. If the last entry was made in a record on March 1, the next entry becomes due on April 1. It should be made as soon as possible thereafter, and must be made no later than May 1.

**Standard 7.** A closing summary will conclude the recording and will be made at the time the case is closed.

### The Initial Entry

The initial entry in the chronological history should be made under the date of the court hearing. It should contain first of all a brief statement outlining the contents of the court order. This portion of the entry should be underlined. It should also contain an account of any unusual happenings or reactions during the hearing.

Secondly, the initial entry should contain a brief summary of the problem areas in the case. This can usually be abstracted from the evaluation section of the prehearing investigation report.

Thirdly, the initial entry should contain a statement of the treatment goals and plans in the case.

One might think of the second and third portions of this initial entry as a brief answer to the following questions:

1. What is the problem?
2. Why is it a problem?
3. How does the person try to adjust to it?
4. What strengths are present to work on?
5. How can we help the person utilize these strengths to attain a better adjustment?

Here is an example:

2-7-58

*Court Hearing. Doug was made a temporary ward of the court and placed on probation in his own home. The judge stressed to the parents that their cooperation in the treatment plan is going to be essential and that they are going to have to be willing to alter some of their attitudes before they can expect any changes in Doug's behavior.*

The basic problems in this case seem to stem from the unrealistic expectations which the parents have set for Doug. He is of normal intelligence and would be able to do at least average work in school, but he has never been able to meet his parents' demands for scholarly excellence. He has mechanical ability, but this is not considered important by his parents. As a result, he has given up trying to please them, he is failing in his school work, and he is seeking recognition through his anti-social behavior.

However, there are some encouraging signs here. Doug has demonstrated since his referral to court that he does respond

to encouragement and recognition. The situation has also caused his parents to begin to take stock of themselves. It is going to be a difficult process for them, but they have expressed what seems to be a genuine desire for help. Regular interviews will be scheduled with both of the parents as well as with Doug. With the parents, an attempt will be made to help them understand and deal with their needs to mold Doug into something which he is neither interested in nor capable of achieving. The goal will be to help them see Doug as an individual with worthwhile capacities which they can help him develop. Contacts with Doug will be aimed toward his gaining some insight into his parents' needs and the efforts which they will be making in trying to change, as well as toward giving him support and recognition in order to channel his talents into more acceptable behavior. Involvement in specific projects will be encouraged, with an attempt being made to relate them to parental attitudes and educational needs.

An adaptation of this type of recording should be used for the initial entry in the chronological history of cases released from institutions or supervised on a courtesy basis for other jurisdictions.

### The Monthly Factual Entry

These entries should begin with an account of the contacts made in the case during the month. Who was interviewed, where, and on what dates? The entry should then present facts and observations which are relevant to treatment on what has happened in the case and what action has been taken since the previous monthly entry. It should contain the kind of information which will help the probation officer become aware of new or continued problems and needs, take appropriate action, and evaluate results and progress in relation to previously established treatment goals and plans.

For example:

6-3-58

*May Summary.* Bob was seen in the office by appointment on May 7, 14, and 21. In addition, his parents were seen in the home on May 16. A check with the school on May 8 indicated that his progress there has continued. He is still not working to capacity, but it does look as though he will pass. His progress has been recognized during our interviews and I have encouraged him in this area. He commented one day that his father's attitude toward him seems to have changed since his grades have improved.

Bob's mother called me once during the month because he had stayed out excessively late the night before. I helped her to see the incident in its proper perspective and to work out some reasonable disciplinary measures without blowing up the incident out of all proportion to its importance.

Plans for the summer vacation have also been discussed during interviews. Bob and his parents have been encouraged to work out a program for him together, one which will include wholesome recreation as well as responsibilities around the home and odd jobs which will give him a chance to earn some money.

### The Quarterly Summary

In addition to the monthly factual summaries, a progress summary should be made in the chronological record every three months, dating from the time of the initial entry. This summary should be an analysis of the events and contacts which have taken place during the preceding three months. It should be an evaluation of case movement and a re-evaluation of the diagnosis and treatment plan in the case. It should provide an opportunity to reaffirm or to alter the treatment goals in the case realistically in line with progress or changing problems. It should seek answers to the following questions:

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4-16-58

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1. What is the meaning of the things which have taken place since the previous progress summary?

2. What progress has been made in relation to previously established goals?

3. What are the current problems in the case?

4. Is the present treatment plan working satisfactorily?

5. If not, how should it be changed?

6. What are the treatment goals for the next few months?

Here is an example:

4-16-58

*Quarterly Summary.* Robert has been coming in to see me every other week by appointment, with occasional contacts in between initiated by himself. Each interview has been pretty similar in content, since Robert is usually occupied with the problem of his mother's constant nagging. He has used the interviews to blow off steam about it. I do not believe that this has resulted in any deep insight on his part into the relationship between him and his mother, but it has served as a safety valve for him. Perhaps his contacts with me have also helped him to see that there are women who do not need to use him for their own neurotic satisfaction.

It often seems, on a contact-by-contact basis, that very little progress is being made in this case. The basic problems at home remain untouched and I am convinced that there is little that can be done to bring about improvement there. However, it must be noted that Robert has not been involved in any further serious trouble in the community and that the school counselor reports that Robert's attendance and behavior have improved, with only rare outbursts in the classroom. Therefore, the treatment plan will remain essentially the same. I will continue to see Robert on a biweekly basis, largely for the purpose of giving him the support he needs to withstand the home situation. I do not plan to contact his mother unless something comes

up which specifically necessitates it. If we can simply keep things from blowing up until Bob becomes seventeen and can follow through with his plans to enlist in the Army, we will have accomplished all that we can in this case.

### Transfer Summary

A summary of the case to date should be made whenever it becomes necessary to transfer a case to a different probation officer. It should pull together the highlights of the case for ready reference by a new probation officer. It can be extremely helpful to the new probation officer in getting a grasp of the case and thereby helps to make the transition smoother, resulting in better service to the probationer. The transfer summary should include the following points:

1. Referral history, including reasons for referral and dates and results of court hearings.

2. A statement of the problems at the time the case was received.

3. Plan of treatment which has been followed.

4. Response to treatment, illustrated by significant events which have taken place during the supervision period.

5. Present problems and suggestions for further treatment.

Topical headings should be used for each paragraph, as in the example below:

9-12-58

### Transfer Summary

*Referral History.* Jim is a thirteen-year-old boy who was referred to the court on 11-16-57 by the GRPD for stealing a bike at school. While this matter was still being investigated he was suspended from school for fighting and a second referral to court was made by the school. A court hearing was held on 1-24-58, at which time he was

made a temporary ward of the court, placed on probation, and removed from his own home to live with a sister in Rockford.

*Problems at Time Case Received.* Jim was very hostile and suspicious when first referred to the court. This attitude seemed to stem from a poor home situation in which he felt rejected and unwanted. Both parents were working and were too wrapped up in their own activities to be bothered with Jim's needs. The boy was angry about this and was striking out at everyone.

*Plan of Treatment.* Jim had a good relationship with a married sister in Rockford and it was found to be agreeable to everyone that he go there to live. It appeared that he would receive affection, guidance, and supervision in this home. Acceptance and supportive counseling were planned in my contacts with him.

*Response to Treatment.* This plan has worked out very well up to the present time. Jim is fond of his sister and has felt wanted in her home. He gets along famously with his brother-in-law and the two of them have engaged in many activities together. Jim's behavior in school improved considerably and his grades also showed improvement last term. My interviews with Jim have been largely of a supportive and encouraging nature and have recently been less frequent. For the most part, the placement itself has been the treatment in this case so far.

*Present Problems.* Unfortunately, Jim will not be able to live with his sister much longer. Her husband will soon be transferred to another state and they will not be able to take Jim with them. I do not believe that Jim should return home, however, because there has been no significant change in the attitude of the parents. A different placement, probably a foster home, will have to be worked out. It seems unfortunate that Jim must also be "abandoned" by his probation officer at this time and he will undoubtedly need to be seen quite frequently until he is settled in a new placement.

### Closing Summary

The closing summary concludes the chronological recording and must be approved by the supervisor before the case can be closed. It is an essential part of the record and fulfills many functions. It summarizes the case for future reference in the event the child or another member of the family is again referred to the court. It is helpful in answering inquiries from other agencies or from the armed forces on a closed case. Like any other phase of recording, it contributes to the increase of skills on the part of the probation officer by helping him and the supervisor to evaluate the work he has done on a case. It is an aid to administration in evaluating overall programs and services. It also serves as the basis for certain administrative and legal actions.

The closing summary is similar in content to the transfer summary. Outlining the points to be covered, however, is worthwhile as an aid to the probation officer in structuring his material. The closing summary should include the following information:

1. Referral history, including reasons for referral and dates and results of court hearings.
  2. A statement of the problems at the time the case was received.
  3. Plan of treatment which was followed.
  4. Response to treatment. What was accomplished?
  5. Current evaluation of the probationer and his situation.
  6. Reasons for closing the case.
- An example is given below:

9-15-58

#### Closing Summary

Bill was referred to the court along with a companion, Jim Smith, on 8-14-57 by

the GRPD was placed 9-12-57 and home.

Bill's parents problems seen a father figure. His mother to provide which he needs with a delinquent in the neighborhood.

A good record Bill and I void left by Bill has a good and he is able to use has some have been violations. He appears to have been a record so that a responsible his mother understand Bill's job in activities.

Bill has probation. He has a good record by his exposure of paper records and has a group he works. He has been has maintained also been a which seems Bill's mother and Bill's father. I have the stepfather by his stability believe that the father is

In view of made during probation and situation, I

the GRPD for breaking and entering. He was placed on indefinite probation on 9-12-57 and allowed to remain in his own home.

Bill's parents were divorced and Bill's problems seemed to be due to the lack of a father figure with whom he could identify. His mother was not strong enough to provide the supervision and discipline which he needed and he began to associate with a delinquency-prone group of boys in the neighborhood.

A good relationship was established with Bill and I have tried to fill some of the void left by the lack of a father. Basically Bill has a good attitude toward authority and he is an intelligent boy so he has been able to use our relationship effectively. He has some worthwhile ambitions which have been utilized in our counseling sessions. He wants to go to college and he appears to have the ability to do so and has been encouraged to make a good record so that he can prepare himself for a responsible job. I have also worked with his mother in an attempt to help her understand Bill's needs and do a more effective job in offering guidance in day-to-day activities.

Bill has responded very well to probation. He has worked hard to make a good record and appears to have profited by his experience. He now has a couple of paper routes to occupy his spare time and has disassociated himself from the group he was getting into trouble with. He has been working harder in school and has maintained a B average. There has also been a change in the home situation which seems to have been for the good. Bill's mother remarried several months ago and Bill respects and admires his stepfather. I have had several contacts with the stepfather and have been impressed by his stability and interest in Bill. I believe that he can very adequately assume the father role for Bill.

In view of the progress which Bill has made during the year he has been on probation and in view of the present home situation, I feel that Bill no longer needs

the supervision of the court. I therefore recommend that he be discharged from probation.

### Additional Recording

It is obvious that the various types of summaries already described will not meet all recording needs in every case. Situations will arise in which additional recording will be necessary. Serious or repeated minor violations of probation or other circumstances requiring a re-evaluation and possible changes in treatment plans should be recorded as soon as possible. Situations requiring further judicial review in the form of another court hearing should be written up as a report to the court.

### Process Recording on a Selective Basis

The type of recording which has been discussed thus far deals essentially with what has happened in a case and what changes have taken place. It is basically an administrative type of recording. It does not delve deeply into *how* things have happened and how changes have been affected; it deals only superficially with the *process* of the casework being done. It deals primarily with the probationer and does not show very clearly how the probation officer has used himself in the treatment process. It therefore does not provide a completely satisfactory tool for achieving an increased understanding of the dynamics of behavior and acquiring additional skill through recording and through supervision. In order to meet this need, selected cases or selected interviews will be process-recorded and will be discussed in supervisory conferences as time and caseloads permit.

### Preparation for Dictation

Chronological recording is just as much a part of the probation officer's job as anything else. Time should be set aside for recording and should be scheduled on a regular basis. Recording time should be planned so that there are as few interruptions as possible. The probation officer should plan his time so that he can instruct the switchboard operator that he will not be taking any calls and will not be seeing anyone while he is recording except for real emergencies.

The staff is encouraged to use the dictaphones for their recording. Attempting to record by writing everything in longhand is a laborious, time-consuming, and inefficient method

which inevitably results in not being able to keep up with the recording which must be done.

It is suggested that the probation officer keep notes on all supervisory contacts in the notebooks which are provided for that purpose. He can then dictate from these notes and save valuable time.

### Audit of Case Records

The adoption of recording standards places an obligation on every probation officer to plan his work in such a manner that he is able to meet these standards. It also places an obligation on the supervisory staff to see that the standards are being met. In order to do this, a case record auditing system will be used.

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# The Probation Officer and Vocational Guidance

JOHN R. MANSON

*Probation Officer, Department of Adult Probation, State of Connecticut*

IN DISCUSSIONS of the probation officer's responsibilities to his client, one often hears the statement, "This is not one of the functions of the probation officer." Some correctional workers believe, in fact, that virtually every phase of the probation officer's work can be referred to an appropriate community resource. If this were true, the probation officer's supervision duties would consist simply of coordinating the work of other agencies; actually the scope of his responsibility is not nearly so limited. Certainly, community agencies which are staffed to work with particular problems are of value both to the client and the probation officer. When such resources are available, referrals are made as an established part of the rehabilitational process. Unfortunately, in some instances the referral is never made because the probation officer is "too busy." In other instances, the client does not qualify for assistance. When this is the case, the basic problems still exist but sometimes the probation officer is inclined to treat them lightly because they do not neatly conform to the outline of his responsibility as he sees it. This is sometimes the case with vocational counseling of the adult offender.

The situation is not usually the same with the juvenile probationer, the significant difference being that vocational guidance is an important part of the public school curriculum. In

Connecticut, where a youth generally loses his juvenile status at the age of sixteen, the juvenile probation officer works primarily with school children. Even though vocational guidance begins with this age group, he is justifiably less directly involved in vocational counseling than the adult probation officer because the public school provides responsible service. In fact, the primary responsibility for psychological testing, evaluation, and counseling rests with the school and the role of the juvenile probation officer is more specifically defined and limited in scope.

The probation officer is responsible, though, for vocational guidance of adults. Although Connecticut has a high percentage of "adult" probationers of high-school age, relatively few of them are pupils, and the public school can no longer provide vocational guidance. Moreover, community resources are sometimes nonexistent. If the probation officer is concerned with the employment of his client, as he must be, he should also be concerned with vocational guidance. This cannot usually be the full-scale, comprehensive process that one would expect from an interested vocational counseling agency. But from time to time the probation officer should be expected to use testing results, occupational information, background data, and other tools to explore a vocational situation with a



probationer for whom it is a major problem.

Such a case was the twenty-year-old client who had a long history of homosexual behavior. Although his intelligence measured as borderline defective, he had managed, mainly through sheer drive, to work his way up to the twelfth grade. He did not receive a diploma, however, because he could not pass the necessary achievement tests at the end of his senior year. When placed on probation he had been employed for two years, first as a dishwasher and later as a hospital orderly. Uppermost in his mind—he voiced it frequently—was his desire to “improve” himself vocationally. He had no real idea of what he was best equipped to do. Because he wanted to do “something” with himself, he applied for enrollment in a local television repair school. A review of his high school record revealed that he had particular trouble with technical subjects. He had never shown an interest in mechanical matters. During our subsequent discussions it became apparent to both of us that he had no real interest in work requiring mechanical ability. He admitted that he had enrolled at the school because it was conveniently located and he was certain of being accepted. The goal was to do “something” with himself; it did not matter much to him what that “something” turned out to be. Subsequent counseling guided him to a recognition of his strong interest in service occupations. He had not been aware of a good school in the community which offered a two-year course in cooking and baking. Occupational information describing opportunities for chefs and bakers was made available to him. This time, after a careful appraisal of all the factors involved, the client decided

that this was truly what he had long sought as a vocational goal. He is now well along toward preparing for a vocation in which he should achieve moderate success. Perhaps the goal is too high considering his low mental ability, but chances are he will compensate for it through drive and enthusiasm.

Another example of rehabilitation through vocational guidance was the eighteen-year-old probationer of good mental ability who was suspended from high school at the age of sixteen because of his exceedingly poor behavior and attitude. He made it a point to be as arrogant as possible to everyone except a small circle of associates. He wanted to impress everyone as a “tough guy” and he was highly successful in doing so. After he left school he held several jobs, each of which involved outside work. He had considerable difficulty in all of them. Although it appeared incongruous, testing results from his high school reflected a high interest and strong aptitude in art. During our first few meetings, he became noncommittal whenever the subject of art was brought up. For many years I have enjoyed painting in oils, even though I have little talent. One day, when the probationer was to report, I left one of my paintings conspicuously on top of my desk. When he arrived that day, he asked whether I was the producer of such a monstrosity; then he immediately volunteered several criticisms of the painting. All of his criticisms were constructive. We discussed art that day for the first time, and it was apparent that he had done a good deal of reading in the field. At the next meeting, he brought in several very fine charcoal sketches. A few weeks later it was a name plate for my desk; he had carved it, he said, from a

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single slab of pine. All of the work was done in his home because he did not want to invite the ridicule of his set; they considered art unmanly. In our subsequent meetings, during which I provided him with all the materials at my disposal to change his outlook, his perspective radically improved. Presently, he is thoroughly enjoying his work as an apprentice draftsman and is taking a correspondence course in commercial art.

### Collecting Vocational Data during Investigation

When the probation officer thinks only in terms of the immediate purpose of the presentence report in making his investigation, he may well pass over data which would be valuable after the sentence. This is especially true of information from the school. Because judges must read, digest, and evaluate literally dozens of presentence reports during a court term, many insist that report length be kept to the absolute minimum. The probation officer hesitates before he presents information which the judge may consider "frillish" or not particularly meaningful for the disposition. Accordingly, he may find himself disregarding important vocational guidance data because he will not make use of it in his report. But even if brevity demands that he include nothing but intelligence test results, he can still assimilate other test results and other vocational guidance information for his own use; if the offender is placed under the supervision of the probation officer, such data may prove invaluable.

Probably the best practice is to secure test results and other vocational guidance data in their entirety. Most large high schools have facsimile equipment which will reproduce the

student's entire record. Because great improvements have been made in school guidance work over the past decade, the officer has a good source of data on which he can base vocational guidance.

### Information on Occupations

If the probation officer is to help his client find a successful vocation, he will need references which provide occupational information. Very few people (and this includes vocational counselors) can even name more than a few hundred occupations; yet there are thousands of them. The probation officer is not expected to know everything about all occupations, but if he has a relatively small and inexpensive library of occupational information he can learn what the occasion requires about a given occupation. More important, he can put the information at the disposal of his client.

"Occupational information" means factual information about jobs and occupations—data on occupational trends, labor markets, and training facilities; on requirements, working conditions, and income for given occupations.

A sizable library of occupational information can be accumulated at small cost because much of it is free of charge. The National Probation and Parole Association offers free information about correctional work. Hundreds of similar associations provide information about other jobs and occupations. A highly valuable publication which supplies mailing addresses of current sources of occupational information is the *Occupational Index*, published by Personnel Services, Inc., in Peapack, N. J.

The outline of occupational information sources given below is by no means complete, but it does indicate the wide range:



the client to gain insight into his own situation. Then he makes his own decision. The more the client participates in the process, the more insight he will gain from it. When he has participated in making the decision, he will be inclined to work harder to achieve his vocational goal. If the probation officer merely tells him what plan to follow, the client may follow it halfheartedly, if at all. Then he may blame the probation officer for making a wrong decision. Better to put him on his own.

Although the probationer can probably be reasonably successful in several—perhaps in many—jobs, he will be unable to handle many others. It is therefore just as important for the client to recognize a hopeless vocational ambition as it is to guide him toward a reasonable one. We sometimes assume that the probationer who voices a desire to improve himself is sufficiently motivated to reach his goal. In doing so we do not always consider, or see that the probationer considers, what his chances for success are in achieving the goal. Although this negative motivation—recognizing the impossible—is often a difficult task, discouraging the client at the outset is better than allowing him to dissipate his enthusiasm in pursuit of an impossible goal. This negative aspect of guidance requires considerable tact; a dictatorial, I-know-better-than-you manner will fail.

Sometimes an individual expresses an interest in a high occupational level which he probably cannot attain. Intelligence is usually the distinguishing factor in such instances; generally, different occupation levels demand different intellectual requirements. One tends to rise about as high in the occupational scale as one's intelligence allows; if someone who can

barely manage the clerical details of bookkeeping is shoved into the position of accountant, he finds the job too demanding and secures work commensurate with his mental ability. On the other hand, if a potential electrical engineer becomes a lumberjack, he does not find the work challenging. He terminates employment and finds work closer to his intellectual ability.

The probation officer can use this intelligence-occupational level hierarchy by presenting occupations to his client which are in keeping with his level of intelligence and are still within the same interest area. For example, a client well below average mental ability voices an interest in civil engineering. Perhaps he will find gratification as a rod man on a surveying team. The probationer exploring various occupations does not have to leave his field of interest. To do so would be to consider intelligence while disregarding interests. The objective of vocational guidance is to direct the attention of the probationer to occupations which his mental ability will allow him to attain, in a field in which he has displayed interest.

The lifetime consequences of working at the wrong vocation are serious. The probationer's dissatisfaction in a particular type of work and the possibility of his preparation for a vocation which will be rewarding both deserve the attention of the probation officer. With the proper training, tools, and techniques, he can better assist his clients in a necessary part of their lives—employment. The need for a job does not end when the client is discharged from probation. It will be as important twenty years from now, to the client and to his family, as it is today. Insight into his vocational situation gained now will serve him for the rest of his working years.

# Money and Its Meaning for the Probation Officer

DAVID P. MACPHERSON

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**M**ONEY has as many different meanings for the probation officer as for anyone else, but because the probation officer must help people whose problems are often related to money, and because payments on fines, restitution, or child support are often part of a probation program, its meaning and significance have a professional importance for him.

Joe Davis, for instance, is on probation for failing to provide for his minor children. Although he is a pleasant, generally stable person, Joe has had money management problems as long as he can remember. Since divorcing his first wife he has remarried and now has another family to support, but he has a fairly good income and could contribute to the support of his three children by his first marriage. In fact, Joe agrees that he should contribute to their support and time and again he has agreed to make regular payments.

Nevertheless, each time he makes this commitment Joe gets into financial difficulty so that he is unable to continue with the payments. He usually owes more on installment payments than he gets in his paycheck. The probation officer is trying to help Joe make the regular payments for child support by helping him manage his income and control his expenditures.

Bill McDonald is another example of a probationer who can be under-

stood in terms of how he handles money. He is a seventeen-year-old who was apprehended by the police for shoplifting and a series of thefts from neighborhood merchants. The thefts were usually of small items and trinkets which he immediately gave away to his friends. Bill was ordered by the court to repay the merchants for at least part of their losses out of his earnings from a paper route. The probation officer is responsible for collecting this money.

Martha Wilson was placed on probation after her conviction for book-making. She has a record of one prior offense involving gambling. She has, over a good many years, taken a large share of her income of \$250 a month to the racetrack. Now the probation officer is faced with the responsibility of seeing that she cares adequately for herself and her daughter and makes regular payments on a fine of \$500.

Of course, some probation officers are probably no better than most people at getting along on their income. Since money is so often a problem in supervision, however, the probation officer must learn something about the meaning of money, to the client and to himself. Money problems may have brought the client to court, as with Joe Davis, convicted of "failure to provide." Money may have special symbolic values, as in the case of Bill McDonald, who uses money and gifts to "buy" friends. Or the case



may be like that of Martha Wilson, who gambles away money to relieve her anxieties rather than using it to provide for her child.

Furthermore, the probation officer has the immediate and pressing problem of obtaining regular payments from the client in response to a specific order of the court whenever a fine, restitution payments, or support of dependents has been made a condition of probation.

More than half the adults granted probation in Los Angeles County are ordered to pay fines or restitution as a condition of probation. Juveniles seldom are ordered to pay fines, but many are required to make restitution for damages or loss. Fines are often imposed in order to impress the probationer with the seriousness of his behavior and to aid in the development of responsibility. With regard to installment payment on fines, Judge W. Francis Binford, of Virginia, writes: "The results have exceeded our fondest expectations, and our records show . . . we have to commit ultimately to jail for the nonpayment of the fine . . . only about 5 per cent of those given this opportunity."<sup>1</sup> Restitution, in addition to helping the probationer develop responsibility, has as its objective reimbursement to victims for injuries or losses. The individual and social value of restitution to victims who often have no other practical means of being reimbursed is great.<sup>2</sup>

The adult probation law of California says: "In all cases of probation the court is authorized to require as a

condition of probation that the probationer go to work and earn money for the support of his dependents." Such a condition may be imposed in any case and is not restricted to those convicted of failure to provide for their minor children. Convictions for failure to provide constitute almost 10 per cent of the cases referred from the municipal courts. For the fiscal year 1956-57, 1,173 cases were referred from the municipal courts for failure to provide. One thousand of these persons were granted probation.

### The Use of Money Is Symptomatic

The probation officer soon recognizes, since he deals with all kinds of people, that the use of money is symptomatic of underlying patterns. One psychiatrist has remarked that next to sexual behavior, the meaning of money to the individual and his feelings about money are probably the most revealing aspects of his personality. We can draw at least two conclusions from this. First of all, we can use our observations about the special significance of money to the probationer to learn something about him as an individual. Secondly, we would probably be unrealistic if we attempted to deal with his money problems on a purely intellectual basis, without due regard for these underlying factors.

A third and perhaps more significant conclusion, however, concerns the probation officer himself. If money has symbolic meaning for the client, it also has symbolic meaning for the probation officer. Before the probation officer can deal effectively with the problems relating to money, he must gain some insight into the special meaning that money has for him.

When we are dealing with human problems we deal with them as human beings ourselves, and we know that

<sup>1</sup> Quoted in Harry Elmer Barnes and Negley K. Teeters, *New Horizons in Criminology*, Englewood Cliffs, N. J., Prentice-Hall, 1943.

<sup>2</sup> Richard F. Doyle, "Conditions of Probation: Their Imposition and Application," *Federal Probation*, September, 1953.

we can be consciously unaware of what feelings sometimes motivate our behavior. So it is with our attitude toward money. The probation officer may feel that the problem exhibited by Joe Davis is a simple one. Obviously, all Joe has to do to meet the obligations which he recognizes is to stop buying on credit. But if the officer attempts to deal with the problem in this way he may find that Joe will be responsive and cooperative for a while, but then suddenly and for no obvious reason will go off the deep end with a new string of purchases. Unless he understands both the underlying, unconscious forces which motivate Joe's behavior, and his own needs with regard to money, the probation officer may be tempted to assume that this behavior is a willful and direct flouting of his authority. He will be able to respond to Joe's behavior in one way only—as an angry parent does when his son has openly done something to spite him; he will see no other reason but spite for such unreasonable, stupid behavior.

The dynamics in the case of Joe Davis would not be so simple as spite, and we do not know enough about him to construct them. But behavior like his may occur when the individual needs to have someone take care of him, when he is unable to accept the feeling of really being able to manage by himself. To attempt to solve the problems exhibited by Joe Davis without an understanding of the whole person is to be doomed to failure. The problem is not basically one of teaching better money management, but of understanding and working with the whole person. The probation officer should be helping Joe to deal with his dependency needs, not only teaching him better money management techniques.

### Money as Part of the Value System

A more direct test of whether the feelings of the probation officer hinder his effectiveness is this: suppose the probationer is a seasonal worker who is unconcerned about saving for the lean months. The probation officer who is oriented to saving money will look upon this client as irresponsible and immature, in need of stern rules and controls to help him care for his family adequately. The client, however, may not share the officer's high regard for money in the bank; he puts a greater value on immediate enjoyment of the fruits of his labor. As long as he is able to function in this way—and he usually does "get by"—has the probation officer the right to impose his values on the client? Obviously not. But this officer may feel that he is helping the client to gain in responsibility and the ability to protect his family. Again there is no simple answer to this difference; the probation officer is obviously concerned if the client's family is not taken care of, or if they become public charges part of each year. He can best deal with this problem, however, by working with the client toward solutions which fit into the client's scheme of values rather than by imposing a plan of savings on the client.

This hypothetical case of the probation officer who believes in saving, faced with a probationer who does not, illustrates a common criticism of probation officers, school teachers, and social workers—that they are imbued with middle-class values and should not attempt to impose these values upon clients who do not share them. But some persons believe in these values, in the benefits of saving money (deferring satisfaction of wants and desires in order to obtain greater benefits later), yet behave differently, out

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of line with middle-class values. The person who has this conflict between behavior and belief may not save money at all, but the fact that he does not save may be a great source of anxiety to him. Although he does not conform to middle-class values in his behavior, the probation officer may still attempt to impose them on his clients because he believes in them.

### Money Personalities

"Money and Your Marriage," by Robert L. Heilbroner in the March, 1957 issue of *Cosmopolitan Magazine*, classified people into three types of "money personalities"—the spender, the saver, and the worrier. The spender is one who indulges himself in luxuries and the latest of everything. Installment payments are a large share of his expenses. The saver does without immediate gratifications. He purchases bonds and insurance; he makes few installment purchases; he has a large bank balance in relation to his income. The worrier is somewhere between these two in the amount he spends. He purchases more and saves less than the "saver," but every purchase is a source of anxiety. He is likely to spend hours on his family budget, planning for and worrying about meeting his obligations.

The author of this article wrote, "Are any of these families 'wrong' in their approach to money? I don't think so. Each is perfectly content with its own way of life, and, what is more to the point, is incapable of adopting any other attitude toward money." I wonder whether the worrier is perfectly content with his burden of anxiety and guilt; but he certainly fits the description of the person whose behavior differs from his middle-class value system. A probation officer who is a worrier might be a hard man to please.

If we are to draw a conclusion about probation supervision from all of this, it is certainly no simple one. Perhaps the important thing for the probation officer to remember is that when he is discussing money with the client he may be dealing with only a symptom, with behavior that is symbolic of something else. If we go back to the case of Martha Wilson, we see a woman who gambles to relieve her anxiety. This knowledge can help the probation officer in working with her. If he increases her anxiety and guilt by scolding her for not meeting her responsibilities as a mother, the result may be the opposite of what the officer expects. Instead of motivating Martha to take care of her daughter, these anxieties may only impel her to a new gambling spree. To achieve a desirable goal, the officer should help Martha understand her anxiety and guilt, and how these motivate her gambling. There is no simple answer in working with human beings and their problems; working with the symptom is no solution, and the alternative is not easy.

### The Child's Attitude toward Money

The probation officer, as an expert, is often consulted by the parents of his wards about how they should solve their child rearing problems; among these problems, the child's use of money is an important one. He should be able to answer the question, "How can children be helped to grow up with realistic and healthy attitudes about money?"

There is some consensus about the use of allowances and about the meaning of money to the adolescent. Allowances should probably begin when the child is beginning to understand and appreciate money as a medium of exchange. This would not be likely be-

fore the age of six, when the child enters school.

The income and financial condition of the parents should set the minimum and maximum limits of the amount of the allowance. But within these limits, the "going rate" in the schools and communities should help set the amount more precisely. The child needs to be like his peers, to be part of the group, and this need should be respected.

The purpose of an allowance, at least in part, is to help the child to develop responsibility and judgment—powers which cannot grow and develop without exercise and use. It would follow, therefore, that the child should be allowed to exercise his responsibility and judgment by deciding how the money should be spent. The parent who dictates these decisions is not helping him to develop. Of course, the child will make mistakes, but permitting him to suffer the natural consequences of his errors in judgment is a necessary part of his learning.

Should a child earn his allowance by doing household chores? Should he be paid for doing specific tasks? Some of the conflict over answers to these questions is created when the purposes of the allowance are confused with the purposes of the child's participation in household chores. Both have value in the development of the child, but perhaps the two should be separated. Those who object to the child's earning his allowance do not necessarily believe that the child should not share in family responsibilities. When the allowance is separated from chores, the child can be assigned tasks as part of his contribution to the family, and his allowance can be regarded as his share of the family income rather than as payment for particular tasks. He becomes a member of the family rath-

er than an employee; as a member of the family, he shares in the family obligations and the family income, as his mother does.

What about withholding the child's allowance as a form of punishment? If we look upon the allowance as the child's share of the family income, the question is answered for us. We should not withdraw the child's right to an allowance as a member of the family, because doing so would in effect be ejecting him from the family. Love should not be conditional upon good behavior; neither should symbols of acceptance and belonging be conditional.

In general, the child's use of money should always be judged in terms of his ability to comprehend its meaning and use. The seven-year-old who is just beginning to know the uses of money may think it is as available as the family supply of facial tissue, to be used as freely as it is needed.

The adolescent endows it with new symbolic meanings. To him in these times, a little money in the pocket or handbag is essential to self-respect. With his increasing desires for independence, the adolescent needs his own money to become at least partially independent. A prerequisite to becoming a man or woman is having some money of one's own to spend, and money assumes a new symbolic value, taking on meanings of strength and independence.

Further insight and understanding of the meaning of money to the client will make the probation officer better able to help him and less likely to deal with his money problems superficially or apart from the whole person. As we gain insight into our own attitudes toward money we can become more effective probation case-workers.

# Effect of Parole on Public Assistance Grants

PAUL J. GERNERT

*Chairman, Pennsylvania Board of Parole*

ONE of the arguments advanced in behalf of more extensive use of parole as a corrective service is that it takes some families off the relief rolls and thus saves the taxpayer's money. The Pennsylvania Board of Parole undertook to study this problem to determine the saving effected by the release of prisoners on parole as against retaining them in prison.

Table I shows that during the calendar year ending December 31, 1958, the Board released on parole a total

of 2,101 prisoners from the state and county prisons of Pennsylvania. Of these, 237 went to other states and 1,864 remained in Pennsylvania. Of this group, 137 returned to families receiving public assistance grants.

Only one of the 137 was a female parolee. Table I further shows the status of the grants as of December 31, 1958, and also the changes that took place between the various dates of release on parole and the end of the calendar year.

TABLE I

STATUS OF PUBLIC ASSISTANCE GRANTS TO FAMILIES OF PAROLEES RELEASED BY  
PENNSYLVANIA BOARD OF PAROLE DURING CALENDAR YEAR  
ENDING DECEMBER 31, 1958

|   |       |
|---|-------|
| Total paroled during the year   | 2,101 |
| Paroled to other states   | 237   |
| Paroled to Pennsylvania plans   | 1,864 |
| Number of parolees whose families will be on DPA grant at time of release | 137   |
| Grants closed at time of release  | 35    |
| Grants closed later but before 1-1-59                                     | 18    |
| Grants increased, later closed before 1-1-59                              | 6     |
| Grants reduced, later closed before 1-1-59                                | 3     |
| Grants reduced, still on as of 12-31-58                                   | 16    |
| Grants increased, then reduced, still on as of 12-31-58                   | 2     |
| Grants increased, still on as of 12-31-58                                 | 16    |
| Grants unchanged, still on as of 12-31-58                                 | 28    |
| Grants reduced, later increased, still on as of 12-31-58                  | 5     |
| Grants closed at release, later reopened, still on as of 12-31-58         | 1     |
| Grants closed at release; violated parole before 12-31-58                 | 5     |
| Grants reduced; violated before 12-31-58                                  | 1     |
| Grants increased; violated before 12-31-58                                | 1     |



Table II shows that of the total of 137 families in the study, 62 were taken off relief sometime prior to January 1, 1959. The total number of dependents found in this group of families was 240, or an average of 3.9 dependents per parolee. Another 68 families were still receiving grants on December 31, 1958. These included 279 dependents, or 4.1 dependents per parolee. Seven parolees who violated parole before the end of the year are shown in Table I. Table II shows that these seven had a total of 20 dependents, or an average of 3 dependents per parolee.

Table II further shows that 45.3 per cent of the 137 families were no longer receiving assistance as of December 31, 1958, as compared with 49.6 per cent that were still on assistance as of that date. Of course, the families of the seven violators returned to full public assistance after the violation. Thus, 54.7 per cent of the families were receiving assistance as of December 31, 1958. This high proportion of dependent families, in spite of the release of the breadwinner, is explained by the fact that 1958 was a recession year, a condition which has improved only slightly since the beginning of 1959.

The amount of money actually saved by release of prisoners is shown

in Table III. This table presents three groups of parolees and their families in items 1, 2, and 3.

Group 1 includes those families whose assistance grants were reduced or entirely discontinued by December 31, 1958. In other words the grant was completely eliminated or the amount of money spent on them was less than it would have been had the parolee not been released; there were 89 such families with 351 dependents. The amount of money thus saved by the Bureau of Public Assistance was \$45,722.34 for the varying periods of time that the 89 parolees had been out on parole up to January 1, 1959.

In Group 2, consisting of 20 families with 65 dependents, are those families that had to be given larger grants to support the additional dependents, the parolees who had not been able to find employment. This resulted in a loss to the Bureau of Public Assistance which amounted to \$2,736.89 for the calendar year.

Group 3 consists of those families whose assistance grants remained exactly the same in spite of the release of the breadwinner or parolee. This group included 28 families with 123 dependents. Thus the release of these 28 men did not affect the amount of money disbursed by the Bureau of Public Assistance.

TABLE II  
ASSISTANCE STATUS OF PAROLEES' FAMILIES AND DEPENDENTS ON DECEMBER 31, 1958

| Status of Family              | No. of Families | Per cent | No. of Dependents | Per cent | Dependents per Parolee |
|-------------------------------|-----------------|----------|-------------------|----------|------------------------|
| Not receiving grants          | 62              | 45.3     | 240               | 44.5     | 3.9                    |
| Receiving grants              | 68              | 49.6     | 279               | 51.8     | 4.1                    |
| Violators' families on grants | 7               | 5.1      | 20                | 3.7      | 3.0                    |
| Totals                        | 137             | 100.0    | 539               | 100.0    |                        |

TABLE III

AMOUNT OF MONEY SAVED THROUGH RELEASE OF 137 PRISONERS DURING YEAR  
ENDING DECEMBER 31, 1958, WHOSE FAMILIES WERE ON PUBLIC ASSISTANCE

| Status of Relief Grants   | No. of<br>Families | No. of<br>Dependents | Amounts<br>Involved |
|---|--------------------|----------------------|---------------------|
| 1. Grants reduced or discontinued   | 89                 | 351                  | \$ 45,722.34        |
| 2. Grants increased, to include parolees                                    | 20                 | 65                   | 2,736.89            |
| 3. Grants unchanged after release   | 28                 | 123                  | —                   |
| 4. Net saving by 1-1-59 (1 minus 2)   | —                  | —                    | 42,985.45           |
| 5. Savings by extending status of Group 1<br>for one year from release date | —                  | —                    | 137,865.94          |
| Totals  | 137                | 539                  |                     |

Therefore, the net saving resulting from the release of the 137 prisoners on parole is obtained by subtracting the \$2,736.89 in increased grants to the second group of families from the \$45,722.34 saved by reducing or discontinuing the grants to the first group. The net saving is \$42,985.45.

The fifth item in Table II shows the amount that will be saved after the parolees in Group I will have been out on parole for one year from the date of their respective releases. This sum is \$137,865.94.

#### Savings—What to Do with Them?

The above figures do not represent all the gains derived from releasing prisoners on parole. During the first year on parole, the 89 men in Group 1 will earn approximately \$116,700 in wages. Even if the rest of the group of 137 parolees remain on public assistance for a year, the assistance will cost the taxpayer less than their continued imprisonment.<sup>1</sup> The per capita, per year maintenance cost in state

prisons is \$1,460; in county prisons it is about \$870 per year. The average grant per dependent per year under public assistance, for the group studied, is about \$420. To this must be added the per capita cost of parole service, which is \$160. Thus, it costs \$580 a year to keep a parolee on relief as compared with \$1,460 to keep him in a state prison and \$870 to keep him in a county prison.

However, the point of this study is not only to show how parole saves money but also to raise the question of how we can best spend the funds available.

The goal of correctional service from arrest to parole is to change the offender into a law-abiding, productive member of the community. Our concern is with how this can be achieved best with the funds we are spending now in welfare generally.

This study suggests that if the funds expended by welfare and correctional agencies were distributed so that a larger share were allocated to such services as parole and probation, better results might be achieved.

<sup>1</sup> Of the total group studied, 78 were released from state prisons and 59 from county prisons.

# Annual Reports

ARMINÉ DIKIJIAN

*Librarian, National Probation and Parole Association*

**F**OLLOWERS of the "get-tough" camp insist that delinquents today are more aggressively violent than ever before. Yet the 166 current annual reports received and examined by the writer in no way support this view. Nonviolent crimes against property lead off as the largest category, followed by burglary (breaking and entering) and auto theft. Some understanding agencies divide the latter into two categories to indicate motive—temporary ("joyriding") and permanent.

In his foreword to the Connecticut Juvenile Court report, Judge Thomas D. Gill makes a pungently expressed plea that no one profession insist upon becoming "the sole prophet of delinquency prevention":

The numerous professional groups who find in the field of delinquency a common interest remain all too often within the self-created limits of their own zone of concern. Sociologists, anthropologists, psychiatrists, psychologists, pediatricians, educators, probation officers, and social workers not unnaturally emphasize interpretations of delinquency which are consistent with the basic teachings of their professions. The frequent result is a rather bewildering variety of segmentalized and overlapping approaches to the total problem which have contributed to the too prevalent impression that there are few areas of agreement as to why delinquency exists or what can be done about it.

There is a real danger that as a result of this competitive interprofessional striving after helpful knowledge, the subject of delinquency will give every appearance

of being far more controversial than is actually the case. The clarity of the public's thinking cannot reasonably be expected to exceed that found in its professional sources of information.

The name of the National Probation and Parole Association resounds through report after report. There are references to its surveys, consultations, legislative assistance, and the accomplishments of its Citizen Action Program councils. "The Montana Council on Corrections will probably stimulate the state as a whole to social progress and act as a guide to our County Juvenile Court Committees in planning and direction," says the Probation Office of the 9th Judicial District of that state in its report.

## Enlightening the Citizen

Surely no one would dispute the potentially great public education value of annual reports. Yet many are purely statistical, without any interpretation of facts given or terms used. Thus they mean little to any reader except a member of the issuing agency or the addressee in the letter of transmittal.

The Pennsylvania Board of Parole furnishes a good example of a liberal amount of interpretation—on the makeup of the Board, criteria for selection, use of case histories to illustrate points made, and the Interstate Compact. Statistics, yes, but not involved tables and graphs to strain the citizen reader's eyes and interest.

The New York City Department of

Correction and the Lucas County (Toledo) Family Court reports are also generous with explanations and illustrations. The Wayne County (Detroit) Juvenile Court explains juvenile court structure and philosophy for its report readers.

For further clarity, organization charts show the delegation of authority in the agency and related departments; e.g., in the reports of the Riverside County (Calif.) Probation Department and the Lane County (Eugene, Ore.) Juvenile Department. Many reports provide their readers with a helpful history of the agency and a brief account of related legislation, past and current.

Trends may be pointed up by including comparative statistics for past years. The Philadelphia Municipal Court carries its table of "Cases of children under 16" back to 1920. In the Fresno County (Calif.) Probation Department's ten-year comparison, we find an offender who has been on probation since 1945! (Is there still hope for him?)

A citizen picking up an agency report may not know more about rehabilitation than can be inscribed on the head of a pin, but when he reads of the tremendous saving effected by probation or parole as contrasted to commitment, a bell rings loudly in his purse. A Florida taxpayer, for example, learns from the Parole Commission report that confining an offender for a year averages \$978 while maintaining him in the community on probation or parole would cost only \$138, or 38 cents a day. Many other reports also show this contrast.

In line with arousing and holding citizen interest, the California Youth Authority issues a visually dazzling report, with bold use of color and

type, superimposing statistical tables on striking photographs. The Riverside County Probation Department (mentioned above) made eighty-four public appearances in speeches and panels. The United Prison Association of Massachusetts gave twenty-four addresses and twenty-four showings of its new film, "From Criminal to Citizen." The UPA "makes full use of voluntary citizen participation."

Indeed, what agency would not? It may be in a "crash" program, with 4,000 Toledo citizens giving Halloween parties under the aegis of the Lucas County Family Court to keep the 97,000 children who attended out of what the report mildly calls "the usual Halloween malicious mischief." It may be a group of businessmen and professionals forming a pre-release clinic at the Kentucky Reformatory, as described in the Department of Welfare report.

The volunteers may serve as probation officers or referees in the Pima County (Tucson, Ariz.) Juvenile Court, or serve on the Alameda County (Calif.) Committee for the Prevention of Juvenile Delinquency, legally appointed by the judge who is an ex-officio member of the committee, together with his c.p.o.

A group like the Washington (D.C.) Criminal Justice Association may attract the volunteer interested in correction. He reads in its "Crime in the Nation's Capital, 1958" that "this Association or any citizens' crime commission has two principal commodities to offer the citizenry. The first is its informed, impartial judgment and the second its integrity. It does not deal in publicity or sensationalism and it is certainly not a complaint department."

But are we naive in expecting that any such group of citizens should also be struggling to get the *politics* out of correction? That they should be seeking out and combating the conditions which hobble rehabilitation—whether lack of proper appropriations, appointment of mediocre, uninterested hacks as probation or parole agents, feeding of misinformation to the public—all for political ends?

Among the newer agency practices reported is the maintenance of a central juvenile index or registry by the probation departments in Eugene, Ore., and Sacramento, Calif. The St. Paul, Minn., Probation Department keeps a record of all juvenile arrests by the police in the county.

Cooperation with other county departments is not new, of course, but the Contra Costa County (Martinez, Calif.) Probation Office's detailed description of it is very illuminating. The agency's report includes another rarely met feature—the departmental budget.

Contra Costa gives an account of its citation system, whereby all police departments in the county refer juveniles to the probation office:

It facilitates referral of juveniles to the probation department and saves many admissions to Juvenile Hall. Citations are heard by a probation department hearing officer. Many are disposed of at the initial hearing if it is indicated that the parents can correct the situation. If necessary, cases [26.9% in 1958] are reported to the juvenile court.

### Wide Range of Correctional Needs

Thundering in many reports and whimpering in others are the calls for institutions. The California Youth Authority is fortunate enough to be able to report the construction of its intermediate security institution "for

youths too old to get maximum rehabilitation benefit from other training schools and too young for adult prison." This call is echoed by the Louisiana Youth Commission. "Many times probation is granted when the court believes institutionalization is necessary simply because there is no suitable institution," says the Pima County (Tucson) Juvenile Court reporter.

On the other hand, the Youth Rehabilitation Section of Idaho's Department of Mental Health deplors the fact that "20-25% of the students detained at Idaho State Industrial Training School are there because of the lack of other resources to assist in their rehabilitation. This includes children who could have been successfully cared for in their own homes if adequate probation services had been available to work with the juvenile and the family."

Analyzing the overcrowding of its detention home, the Cook County (Chicago) Family Court notes that not only truants and feeble-minded are placed in it, but also dependent children, transported in police wagons by uniformed officers.

Quite another kind of problem is that of the Prisoners Aid Society of Delaware, which points out that during one year (1956) only sixty-six offenders were released under parole supervision:

[The rest] returned to the community without any conditions attached to their new freedom and without any guided plan of rehabilitation, except where agencies such as the Prisoners Aid Society became involved.

When it is additionally considered that Delaware is one of only seven states which have no plan for providing money to help discharged inmates re-establish themselves in the community, we can better under-

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stand the tremendous unmet needs of the prison releasees in Delaware.

Reduction of caseloads is perhaps the loudest outcry rising from the annual reports. Some agencies have achieved the heaven of NPPA's standard of fifty units per month, others report progress in coming nearer to it. Not so the San Francisco County Adult Probation Department which reports an average of 205 cases per officer. And "presentence investigations increased 140 per cent in the Municipal Court division." In the Adult Division of the Monterey County (Salinas, Calif.) Probation Department, "supervision, other than written monthly reports, did not exist, because of staff size." Happily, "measures are being taken to correct this deficiency."

### Research Studies

To prove the effectiveness of reduced caseloads, some agencies have undertaken studies. The Los Angeles Probation Department, for example, is examining limited juvenile caseloads in its El Monte area office under a Rosenberg Foundation grant, with a final report due next year. The New York City Department of Correction instituted a CSAS program—"concentrated supervision and surveillance." Each officer has a caseload of twenty-five parolees, aged sixteen to twenty-one. After six months, the youths are transferred to regular supervision under the program, in which the New York City Parole Commission is also cooperating.

The New York County Court of General Sessions reports on the progress of its experiment in the intensive supervision of youthful offender probationers, and the New York State Division of Parole on its special nar-

cotics caseload project. The Minnesota Department of Public Welfare notes in its biennial report a study of selected murderers and their families, conducted in cooperation with the Psychiatry Section of the Mayo Clinic.

Both the California Youth Authority and the Division of Legal Medicine of the Massachusetts Department of Mental Health list major research projects contemplated or under way. The Pinellas County (St. Petersburg, Fla.) Juvenile Welfare Board reports a plan to study the emotionally disturbed child—"a proposal for an experimental evaluation of techniques and procedures for identifying, diagnosing, and providing for the needs of emotionally disturbed children"—an important effort in the early discovery of delinquent tendencies.

The Baltimore Criminal Justice Commission summarizes "a follow-up study of men released in 1954 from the State Reformatory for Males, by reason of parole or expiration of sentence." Here there should be noted too the yearly evaluation by the New York State Division of Parole, titled "Five Years Out," a detailed follow-up study of parolees discharged five years prior to the date of each annual report.

As a librarian, I was interested to note information on inquiries frequently made of the library. How many parole revocations are for violation of parole rules and how many for commission of new crimes? Most reports do not make the distinction in their revocation or recommitment tables. The Maine Probation and Parole Board does, similarly the Pennsylvania Board of Parole and the Hawaii Board of Pardons and Pardoners. The latter includes elsewhere a list of offenses, among them "malicious con-

version," which I later learned is not a forcible change of religion.

The Iowa Board of Parole gives violation statistics dating back to 1907: a total of 2,736, or 26.46 per cent violated, out of 13,632 parolees. As in the North Dakota State Board of Pardons, offenders are named, though for what purpose it is not clear. However, "not dipping sheep" is an understandable offense—only one Iowan was guilty of it in 1957 and none in 1958.

Correctional education is a frequent subject of library inquiry. Besides the familiar vocational and academic subjects, the reports list Dale Carnegie courses (Delaware State Board of Corrections) and "manners," music and correspondence courses in song-writing (New York State Department of Correction).

Institution libraries are supported in a variety of ways. In the Kentucky Reformatory, says the Department of Welfare report, the library fund is "made up of confiscated money taken for gambling, etc." During the report year, the 2,287 inmates made 34,228 visits to the library, which contains a total of 3,416 books and magazines, or 1½ per inmate. (They were luckier in other ways: A detailed medical report says 2,041 teeth were extracted, whereas the Delaware Board of Corrections reported an expenditure of only \$27 for the year's dental work.)

### Special Problems

Many special problems are discussed in the reports. The District of Columbia Juvenile Court relates that prior to the passing of a new law on the child's right to counsel, less than 5 per cent were represented. "The law requires that every child and his parents be informed of the child's right

to be represented by a lawyer in all delinquency proceedings before this court." The right may be waived, of course, but the percentage of children represented by counsel since the enactment has risen to 15 to 20 per cent.

The probation officer of Montana's 9th Judicial District expresses his concern over the violation of children's rights. Another complication is that in Glacier County, the Blackfeet Tribal Council "has posed a legal as well as social question in assuming jurisdiction over the Indian juvenile on the reservation." According to the Board of Pardons, one-third of Montana's inmate population are transients; i.e., have been in the state less than six months. Agents may have, in addition to field and presentence investigations, a supervision caseload of 160, scattered over an area of 60,000 square miles.

These are very real problems and so is that of the Probation Department of Essex County (Newark, N.J.), where indictments abound against used-car dealers alleged to have defrauded the public by representing used cars as new. The San Francisco County Adult Probation Department reports on the Alcoholic Rehabilitation Unit it set up some time ago. The Baltimore Supreme Bench Domestic Relations Division calls its problem "improvident breeders"—those who pass through the probation department paying \$6 million annually for the wives and children they deserted or the illegitimate children they fathered.

The Juvenile Aid Division of the Philadelphia Police Department made increased curfew enforcement its problem in 1958, made 22,000 "preventive checks of potential trouble spots,"

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sent first violation warnings to 9,555 parents, and hailed another 547 parents into its special Curfew Court.

Shoplifting required a good deal of attention at the Boston Juvenile Court, which reports that 71 per cent of all girls' cases were for shoplifting.

The proportion of girls' cases to boys' cases before the Boston Juvenile Court is higher than most other juvenile court records and the Massachusetts District Court juvenile statistics would show. This situation exists because of the concentration of department stores within the area served by the court. These stores with their attractive advertisements and displays prove to some girls a source of strong temptation to shoplifting.

What, one cannot help wondering, does Jordan Marsh have that Macy's or Marshal Field or the May Company doesn't have?

The all-important subject of recidivism is spotlighted in some reports. The Pima County (Tucson) Juvenile Court has instituted a repeater category in its annual compilation. The Boston Juvenile Court lists the number of children before the court, the number of repeaters, and the number who had never appeared before. The Wayne County (Detroit) Juvenile Court estimates that of 1,796 children whose cases were closed in 1957, 62 per cent were not returned for violations of probation.

The Cumberland County (Carlisle, Pa.) Probation Office maintains that "the majority of adults who earn their varsity C for crime once played on the junior varsity level by having been delinquent. Three to five cases out of every ten return to harass society." The Home Service Bureau of the Boys' Training Schools (New York State Department of Social Welfare) calls it "graduating to correc-

tion" when 48 per cent were later convicted and either committed or granted probation by the adult court. The report includes a thorough discussion of the causes of delinquency, while the Delaware Youth Services Commission report contains a thoughtful expression of the philosophy of the training school.

Multiproblem or "hard-core" families as a concept had not yet come into its present prominence when most of the reports were written. Oddly enough, the Adelaide (Australia) Juvenile Court touches on it, quoting from the Cuyahoga County (Cleveland) Juvenile Court's 1957 report. The Juvenile Welfare Board of Pinellas County (St. Petersburg, Fla.) discusses its contacts with other agencies through the Multi-Problem Family Committee of the local Community Welfare Council.

In view of the comparative sparseness of correctional case material, it was interesting to find that several agencies illustrate a point by giving a brief case history. The Jefferson County (Louisville) Juvenile Court, the Harrison County (Gulfport, Miss.) Youth Court, and the Cuyahoga County Juvenile Court are among them.

The U. S. Bureau of Prisons 1957/58 report provides a wealth of interpretive and statistical material. It discusses ten years of change in the federal prison population, the geographical shift in commitments reflecting the tremendous growth of population in the Western states, and the new legislation in sentencing procedures. Included in the latter is a discussion of the new act "To improve the administration of justice by authorizing the Judicial Conference of the United States to establish institutes and joint councils on sentencing; to provide

additional methods of sentencing; and for other purposes."

The U. S. Board of Parole's report, which is included in the same volume, attributes the visible drop in parole decisions and proportion of grants "in part to the effect of the longer sentences given to drug law violators, received into federal institutions."

This was made mandatory by the "Boggs Law," passed in 1951, which established the first mandatory minimum terms for illicit sellers and possessors of narcotics and marihuana, and also prohibited the use of probation for second and subsequent violators.

Though a substantial proportion of the drug law violators sentenced under the "Boggs Law" will eventually become eligible for parole, those sentenced under the Narcotic Control Act of 1956 are barred under its provisions from eligibility to parole consideration.

The U. S. Children's Bureau's *Juvenile Court Statistics, 1957* discusses briefly in its foreword the difficulties and limitations involved in "assessing statistically" the problem of delinquency, and provides, though not so labelled, a serious note of caution to all groups and individuals who wave delinquency estimates as their rallying banner.

### Some Unique Features

In many reports, unique categories appeared, so logical and informative that one wondered why their inclusion was not more widespread. "To what extent is juvenile delinquency a group activity?" asks the Baltimore Circuit Court's Division for Juvenile Causes. The reply is its table showing the number of children involved in each offense.

Another of this court's unique categories is that of the time at which the offense was committed. The great-

est number of offenses occurred between 7 A.M. and 4 P.M.; the popular belief, of course, is that most delinquencies take place during the evening and night hours.

In the chart showing probation officers' recommendations on granting probation, the Riverside County (Calif.) staff had an excellent batting average—probation granted in 212 cases out of 223 recommendations for it. The York County (York, Pa.) Probation Department provides an intelligence classification table of its offenders. The New York State Division of Probation relates what some counties did to obtain an increase in staff. The California Youth Authority includes a school and parole office directory in its report—a good example for those agencies whose reports do not carry a street address (and in some cases do not even name the city of origin.)

Some amusing features turned up, too. The Adelaide (Australia) Juvenile Court listed an "emotional discomfort" table for its offenders ("none," "some," and "much"). The Albuquerque Police Department divides suicide wounds into two types: "head-face," and "chest-abdomen." The family status table of the Cumberland County (Carlisle, Pa.) Probation Officer's report has a specific category for "Parents separated, child living with father's ex-paramour." It was rather touching to read in the Big Sisters' report that one of their many sources of referral is "children who asked the Big Sisters to help their friends."

"The greatest contribution to evil is when good men do nothing," a noted historian said. Looking behind these reports, one sees many a good man (and woman)—dedicated profes-

sional and humanitarian citizen alike—doing something, doing a great deal to loosen the tentacles of crime and delinquency and to restore to useful, law-abiding citizenship the child, youth, or adult on whom they had been fastened.

### Reports Received

June 1, 1958 — May 31, 1959

*(Annual and biennial reports should be forwarded to the NPPA Library at the Association's New York headquarters, 1790 Broadway, New York 19, N.Y.)*

#### CITY AND COUNTY

##### Alabama

Jefferson County (Birmingham) Juvenile and Domestic Relations Court, 1958

##### Arizona

Pima County (Tucson) Juvenile Court and Probation Dept., 1958

##### California

Alameda County (Oakland) Probation Dept., 1958

Contra Costa County (Martinez) Probation Office, 1958

Fresno County (Fresno) Probation Dept. and Probation Committee, 1958

Los Angeles County (Los Angeles) Probation Dept., 1956/57

Monterey County (Salinas) Probation Dept., 1958

Riverside County (Riverside) Probation Dept., 1957

Sacramento County (Sacramento) Probation Dept., 1958

San Francisco County (San Francisco) Juvenile Court, 1958

San Francisco County Adult Probation Dept., 1957/58

##### Colorado

Probation Dept., 1st and 17th Judicial Districts, 1957

##### Florida

Pinellas County (St. Petersburg) Juvenile Welfare Board, 1957/58

##### Georgia

Fulton County (Atlanta) Juvenile Court, 1957

##### Illinois

Chicago Municipal Court, Psychiatric Institute, 1957

Chicago Municipal Court, Social Service Dept., 1958

Cook County (Chicago) Dept. of Welfare, 1958

Cook County (Chicago) Family Court and Arthur J. Audy Home for Children, 1957/58

##### Indiana

Gary City Court, 1957

##### Iowa

District Court, Dubuque County, Probation Dept., 1958

##### Kentucky

Jefferson County (Louisville) Juvenile Court, 1958

##### Louisiana

East Baton Rouge Parish (Baton Rouge) Family Court, 1957

##### Maryland

Baltimore Circuit Court, Division for Juvenile Causes, 1958

Baltimore Supreme Bench, Domestic Relations Division, 1957

Baltimore Supreme Bench, Probation Dept., 1957

Baltimore Youth Court, 1957

Montgomery County (Rockville) People's Court for Juvenile Causes, 1957

##### Massachusetts

Boston Juvenile Court, 1956/1957

Boston Juvenile Court, Citizenship Training Group, 1958

##### Michigan

Wayne County (Detroit) Juvenile Court, 1957

##### Minnesota

Freeborn County (Albert Lea) Probation Office, 1958



Ramsey County (St. Paul) Probation Dept., 1958

Scott County (Shakopee) Probation Dept., 1958

### *Mississippi*

Harrison County (Gulfport) Youth Court, 1958

### *Missouri*

Jackson County (Kansas City) Juvenile Court, Driver's Safety Workshop, 1957  
St. Louis City Courts, Parole and Probation Dept., 1957/58

### *Montana*

Probation Officer, 9th Judicial District, 1957/58

### *New Jersey*

Atlantic County (Atlantic City) Probation Dept., 1958

Bergen County (Hackensack) Probation Office, 1958

Essex County (Newark) Juvenile and Domestic Relations Court, 1957

Essex County (Newark) Probation Office, 1957

Gloucester County (Woodbury) Probation Dept., 1957/58

Passaic County (Paterson) Probation Dept., 1958

Mercer County (Trenton) Probation Dept., 1957

### *New Mexico*

Albuquerque Police Dept., 1958

### *New York State*

Broome County (Binghamton) Children's Court, 1958

Broome County (Binghamton) Probation Dept., 1958

Chemung County (Elmira) Probation Dept., 1958

Erie County (Buffalo) Probation Dept., 1958

Monroe County (Rochester) Adult Probation Dept., 1958

New York City Dept. of Corrections, 1957

New York City Police Dept., 1958

New York City Magistrates' Court, 1957

New York County Court of General Sessions, Probation Dept., 1958

Rochester City Court, Criminal Branch, Probation Bureau, 1958

Westchester County Children's Court and Probation Dept., 1958

### *North Carolina*

Gaston County (Gastonia) Domestic Relations and Juvenile Court, 1957/58

### *Ohio*

Cuyahoga County (Cleveland) Juvenile Court, 1958

Lucas County (Toledo) Family Court, 1957

Muskingum County (Zanesville) Juvenile Court, 1958

### *Oklahoma*

Tulsa County (Tulsa) Juvenile Court, 1957/58

### *Oregon*

Lane County (Eugene) Juvenile Dept. and Skipworth Home, 1958

### *Pennsylvania*

Cumberland County (Carlisle) Probation Office, 1957

Delaware County (Media) Juvenile Court, 1957

Franklin County (Chambersburg) Probation Officer, 1957

Lancaster County (Lancaster) Probation and Parole Dept., 1957

Lehigh County (Allentown) Probation Dept., 1957

Northampton County (Easton) Juvenile Court, 1958

Philadelphia Municipal Court, 1957

Philadelphia Police Dept., Juvenile Aid Division, 1958

York County (York) Probation Dept., 1958

### *South Carolina*

Greenville County (Greenville) Juvenile and Domestic Relations Court, 1958

Greenwood County (Greenwood) Juvenile and Domestic Relations Court, 1957/58

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*South Dakota*

Minnehaha County (Sioux Falls) Juvenile Court, 1958

*Tennessee*

Davidson County (Nashville) Juvenile Court, 1958

*Texas*

Brazos County (Bryan) Probation Office, 1958

Dallas County (Dallas) Juvenile Dept., 1958

Harris County (Houston) Adult Probation Dept., 1958

*Virginia*

Richmond Juvenile and Domestic Relations Court, 1957

*Washington*

Yakima County (Yakima) Juvenile Dept., 1957

*Wisconsin*

La Crosse County (La Crosse) Dept. of Public Welfare, 1958

## STATE

Alabama Dept. of Pensions and Security—*Juvenile Court Statistics*, 1957

Alabama Board of Pardons and Paroles, 1957/58

Arkansas Board of Pardons, Paroles and Probation, 1958

California Youth Authority, 1957-1958

Connecticut Juvenile Court, 1957

Connecticut Child Study and Treatment Home, 1957/58

Delaware Board of Corrections, 1957/58

Delaware Youth Services Commission, 1957/58

District of Columbia Juvenile Court, 1957/58

Florida Parole Commission, 1957

Georgia Board of Corrections, 1957/58

Georgia Board of Pardons and Paroles, 1957-1958

Hawaii Board of Paroles and Pardons, 1957/58

Idaho Division of Mental Health, Youth Rehabilitation Section, 1957/58

Iowa Board of Parole, 1956-1958

Iowa Dept. of Social Welfare, 1957/58

Kentucky Dept. of Welfare, 1957/58

Louisiana Dept. of Public Welfare, 1957/58

Louisiana Youth Commission, 1955-1956

Maine Probation and Parole Board, 1957/58.

Maryland Board of Correction, 1958

Massachusetts Commissioner on Alcoholism, 1957

Massachusetts Dept. of Mental Health, Division of Legal Medicine, 1957/58

Michigan Dept. of Social Welfare—*Michigan Juvenile Court Reporting*, 1957 (in cooperation with Michigan Association of Probate and Juvenile Court Judges)

Minnesota Dept. of Public Welfare, 1956-1958 (in *Minnesota Welfare*, Fall-Winter, 1958)

Mississippi Dept. of Public Welfare—*Youth Court Statistics*, 1957.

Missouri Board of Probation and Parole, 1957/58

Montana Board of Pardons, 1956-1958

Nevada Dept. of Parole and Probation, 1956-1958

New Hampshire Dept. of Probation, 1955-1956

New Jersey Courts, Administrative Director, 1957/58

New Jersey Dept. of Institutions and Agencies, 1957

New York Dept. of Correction, 1956 (includes Division of Probation report)

New York Dept. of Social Welfare, Boys Training Schools, Home Service Bureau, 1958/59

New York Division of Parole, 1957

New York Commission of Correction, 1957

North Carolina Board of Public Welfare, 1956-1958

North Dakota Board of Administration, 1955/56

Ohio Bureau of Research and Statistics—*Ohio Judicial Criminal Statistics*, 1957

Pennsylvania Board of Parole, 1957/58  
 Rhode Island Dept. of Social Welfare, 1957/58  
 South Carolina Dept. of Public Welfare, 1957/58  
 Tennessee Commission on Youth Guidance, 1958  
 Texas Board of Pardons and Paroles, 1956/57  
 Texas Youth Council, 1957/58  
 Vermont Dept. of Institutions, 1956-1958  
 Vermont Dept. of Social Welfare, 1956-1958. (Also separate report, *Juvenile Delinquency and Dependency-Neglect in Vermont*)  
 Washington Board of Prison Terms and Paroles, 1956-1958  
 Wisconsin Dept. of Public Welfare, 1956-1958  
 West Virginia Parole Board, 1956/57  
 Wyoming Youth Council, 1957-1959

## FEDERAL

U.S. Bureau of Prisons, 1957/58  
 U.S. Children's Bureau—*Juvenile Court Statistics*, 1957  
 U.S. Courts, Administrative Office, Director, 1956/57  
 U.S. District Court, Southern District of California, Probation Office, 1957/58  
 U.S. District Court, New Mexico, Probation Office, 1957/58

## FOREIGN

Adelaide (Australia) Juvenile Court, 1957/58  
 Canada, Commissioner of Penitentiaries, 1956/57  
 Canadian Corrections Association, 1958  
 Central After-Care Association, Council (London) 1957

Gt. Britain, Commissioners of Prisons, 1957  
 Gt. Britain, Home Office—*Criminal Statistics, England and Wales*, 1957  
 Magistrates' Association (London) 1957/58  
 National Association of Probation Officers (London) 1957  
 Simcoe County (Barrie, Ontario) Juvenile and Family Court, 1958

## ASSOCIATIONS, ETC.

American Bar Foundation, 1957/58  
 Baltimore Criminal Justice Commission, 1958  
 BARO Civic Center Clinic (Brooklyn, N.Y.) 1957  
 Berkshire Farm for Boys, 1957/58  
 Big Sisters, 1957/58  
 Catholic Charities of the Archdiocese of New York, 1958  
 Chicago Crime Commission, 1957  
 Citizens Committee for Children of New York City, Section Reports, 1957/58  
 Crime Prevention Association of Philadelphia, 1957  
 Family Location Service, 1958  
 Jewish Big Brother League of Baltimore, 1958  
 John Howard Society of Ontario, 1958  
 National Council on Alcoholism, 1957  
 National Federation of Settlements and Neighborhood Centers, 1957/58  
 Prison Association of New York, 1957  
 Prisoners Aid Association of Maryland, 1957  
 Prisoners Aid Society of Delaware, 1957  
 Rochester (N.Y.) Society for Prevention of Cruelty to Children, 1958  
 United Prison Association of Massachusetts, 1958  
 Washington Criminal Justice Association—*Crime in the Nation's Capital*, 1958

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# Letters

## Family Court Act

May 12, 1959

TO THE EDITOR:

I note that criticisms and suggestions concerning the "Standard Family Court Act," as promulgated in the NPPA JOURNAL of April, 1959, will be welcomed by the Association (Foreword, p. 100).

It is most regrettable, in my opinion, that procedures outlined at page 121 as "highly desirable" in each jurisdiction are not included in the Act itself as an indispensable part of a well-rounded Family Court Act.

Sections 11 and 20 of the Act provide that husbands and fathers who fail to provide support "in violation of law" may be prosecuted; that procedures and dispositions applicable under the criminal law may be used; and that the district attorney, on request of the court, shall prepare and prosecute the case. This, to my mind, sets the tenor of the Act, and relegates to a secondary position the more enlightened procedures now widely used for enforcement of the support obligation. The New York statute was adopted in 1942, and was used by me as judge of the Children's Court of Westchester County, New York, to the end of 1955. I therefore speak from long personal experience in many hundreds of cases when I say that it was most effective not only because it secured support for mothers and children in amounts commensurate with the income or potential earning power of the respondents, but because the noncriminal approach encouraged conciliation and brought to light conditions prevailing in the homes which

rendered them insecure, thereby enabling the court through its social service to strive for the amelioration of these conditions and to forestall and prevent neglect and delinquency. I always regarded these provisions of the New York law as the heart and core of the family court act.

The provisions of Section 12 (3) encouraging social investigation and conciliation are excellent. They reflect the best practices of the courts in connection with civil support cases. But conciliation is facilitated by the civil rather than the criminal approach.

By way of further criticism, I would point out that while Section 24 (8) of the Standard Act provides that in support of an order or decree for support the court may make an order of protection, partially following Section 30 of the New York law, there seems to be no provision in the Act for such a support order. Therefore Section 24 (8) would seem to be meaningless. The only disposition authorized by the Act seems to be the conviction of the respondent (Section 20).

GEORGE W. SMYTH

Former President, NPPA;

Judge of Children's Court

Westchester County, 1930-1955

\* \* \*

May 19, 1959

TO THE EDITOR:

I thoroughly agree with Judge Smyth that we should encourage and give preference to civil proceedings in support matters, although the criminal proceeding is necessary in a minority of cases. While the Act gives the family court exclusive original

jurisdiction of both criminal prosecution and civil support proceedings in family cases, this preference might well have received greater emphasis, since the drafting committee felt as Judge Smyth does. In future revision of the Act the committee would certainly consider strengthening its endorsement of the civil procedure, and indeed amending the statute in this regard.

On Judge Smyth's last point, the comment on Section 11 contains a model statute for civil proceeding to enforce support.

WILL C. TURNBLADH  
Director, NPPA

### Thank You

June 16, 1959

DEAR MR. TURNBLADH:

As General Chairman of the National Institute on Crime and Delinquency held recently at Swampscott, Mass., may I express to you and the entire staff of your organization the deep and sincere appreciation of the

New England group for your excellent cooperation and assistance prior to and during the Institute. From the many letters and comments received from delegates and guests, it would appear that the sessions were considered most constructive, interesting, stimulating, and well attended. We were also left with the impression that everyone enjoyed the New England style of hospitality.

May I request that our gratitude and appreciation be extended through the medium of the JOURNAL to the many participants of the workshops and the other nationally known speakers at the luncheon and dinner meetings, who, as a group, instilled encouragement, hope, and inspiration to those of us in the area of crime and delinquency.

Again may I express my sincere thanks and appreciation to all those who made this year's Institute a memorable one.

MARTIN P. DAVIS  
Director of Parole Services,  
Commonwealth of Massachusetts

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## News & Notes

### National Institute on Crime and Delinquency

Swampscott, Mass.

May 31 to June 3, 1959

#### First Distinguished Service Awards

*Below is the text of Judge Miles F. McDonald's presentation of the three National Institute on Crime and Delinquency awards at the general session on June 2 to G. Howland Shaw, Judge Edwin L. Garvin, and Rev. James Keller, M.M., "in grateful recognition of distinguished service in the field of human relations."*

As toastmaster this evening, I have the most pleasant duty and happy privilege of presenting to three of our distinguished guests awards for meritorious service in this field of social action.

While I am delighted by the concurrence of circumstances that brings this opportunity, I am somewhat embarrassed by the fact that each of the recipients not only is a valued personal friend, but has had an important influence upon my own life, for we have served as co-workers in our particular field of endeavor. Not only have they stimulated my thoughts and my actions, but by their example they have set standards that I have in my own poor way tried to emulate.

I want to make it absolutely clear, however, that I had no part in selecting the recipients of these awards, for if it were believed that I participated in their selection, the luster of their awards might be dimmed because of

my personal affection and high regard for the recipients.

Tonight, I serve solely as a spokesman for the National Probation and Parole Association, the New England Conference on Probation, Parole and Crime Prevention, the Massachusetts Probation Officers' Association, and the National Institute on Crime and Delinquency; and while the words are mine, they are intended to convey the opinions of these organizations and of their members and to reflect the gratitude of these groups for our honored guests' lives of distinguished service in the public interest.

In early 1946, as district attorney of Kings County, I became a member of the Board of Trustees of the Youth Council of the City of New York.

This activity had a profound influence upon my professional life, for by it I became acquainted with the first of the distinguished guests whom you honor tonight.

Although I had been engaged in the field of prosecution for some years, I had, up until that time, little concern with the social aspects of the problems of punishment and rehabilitation.

From the moment of our meeting, the Honorable G. Howland Shaw became for me the epitome of all that

was fine in this highly specialized field of work, in which he was undoubtedly one of the most respected experts.

I continuously looked to him for guidance, and I recognized in him a man of superior intellect who had devoted himself unceasingly and self-sacrificingly to the improvement of all phases of this difficult activity.

He was progressive and yet conservative—forceful and persuasive, yet modest and soft-spoken—ready to accept the most modern concept so long as it did not violate the principles of the natural moral law.

One of my many faults is that of interrupting, for I have little patience with long-winded arguments, verbose orations, or caustic diatribes.

In my almost fourteen years of association with Mr. Shaw, in the Youth Council and in the National Probation and Parole Association, I have never even been tempted to interrupt; rather have I sat close-mouthed and open-eared to a man who commanded full attention and respect.

I trust you will pardon these personal allusions, but I have never had so fine an opportunity to express my admiration and respect for this great American.

Mr. Shaw is a native of Boston and has had a remarkable career in two separate fields—as a career diplomat, rising from assistant to counselor for the Department of State in 1917, to assistant secretary of state in 1941, participating in every decision of major importance during his years of service, including the Peace Treaty at Versailles.

His knowledge of world affairs was equaled only by his love of people which motivated his second and equally distinguished career in social service.

His unique talents have benefited many of our most important agencies.

The list is a most imposing one, but because of the limitation of time, I have found it necessary to exclude from it many important activities.

He has been, in turn, a member of the Board of Trustees and Board of Visitors of the National Training School for Boys, at Washington, D. C.; vice-president and director of the Children's Village at Dobbs Ferry, New York; member of the Board of Managers of Lincoln Hall at Lincoln-dale, New York; president of the National Conference of Catholic Charities; president of the American Prison Association; president of the Executive Committee of the National Conference of Juvenile Agencies; member of the Prison Association of New York; member of the Executive Committee of the National Jail Association; chairman of the Executive Committee of the American Institute on Criminal Law and Criminology; member of the Board of Trustees of the Youth Council Bureau of the City of New York; member of the Board of Trustees and chairman of the Committee on Law of the National Probation and Parole Association.

He was first to recognize the potential for good in the organized street gang and his work in that field has served as the basis for a progressive program.

Tonight *we* do not honor G. Howard Shaw; *he* has honored *us* by his presence here and his association with us, and by accepting this inadequate token of our esteem and regard, which I am proud to present.

Unfortunately, the next award must be made in absentia, for Judge Edwin L. Garvin is prevented by ill health

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from undertaking the trip from New York for this important occasion, and we are therefore deprived of the honor of his company.

However, he remains extremely active in his work for the National Probation and Parole Association and it is still his outstanding interest and its work his immediate concern.

My first association with Judge Garvin came nearly twenty years ago, when he presided at many important criminal trials in which I acted as the prosecutor.

To many judges the important phase of judicial activity takes place in the courtroom during the trial.

Judge Garvin was an exception to this rule.

As a trial judge he presided with both great ability and appropriate temperament and earned the respect of both the bench and the bar.

The trial was a prelude rather than an end in itself.

To him, the great opportunity for public service came after the trial.

The imposition of an appropriate sentence was the real opportunity for public service, and this was his greatest concern.

He sought to fit the punishment not only to the crime but to the criminal.

The crime itself was not nearly so important as the possibility and probability of rehabilitation.

Incarceration was the last resort, to be used only when the public interest demanded it, and the personality of the defendant left no alternative.

It was Judge Garvin who first introduced me to the National Probation and Parole Association and proposed me for membership on its Board.

Our relationship has been not only

pleasant but stimulating, and I am personally grateful to him for his many kindnesses to me.

Judge Garvin's career spans more than half a century.

He was admitted to the bar in 1899. He was first appointed to the Court of Special Sessions of the City of New York by the late Mayor Mitchell in 1915, serving as such until he was appointed judge of the United States District Court for the Eastern District of New York by President Wilson in 1918.

After some years of distinguished service, he resigned to return to general practice.

He continued successfully in that field until he was again called to public service by appointment as county judge of Kings County, Brooklyn, by Governor Lehman in 1940.

His talents as a trial judge did not go unnoticed and he was called by the people of his community to greater duty by his election as a justice of the Supreme Court in 1940. He served as such until the statutory retirement age of seventy and then assumed the important duties of official referee of that court.

As a judge of the District Court, he was one of the architects and a vital force in the establishment of the United States probation and parole system, and he was responsible for many of its humanitarian provisions.

During his service as district judge and as county judge, he raised the standards of the probation department of the courts over which he presided until they were among the most efficient in their respective systems.

He set high standards for service and nobly fought to improve the working conditions of his staff.

During all of his career he was a mainstay of the National Probation and Parole Association, in which he served as vice-president and as chairman of the Nominating Committee.

He has been a member of NPPA since 1922 and chairman of the Executive Committee.

His wise counsel and kindly manner have endeared him to all.

It is to be regretted that his age prevents him from being with us tonight to receive your greetings.

However, on your behalf I shall personally present your token of affection and esteem to him.

One of the great problems of any agency working in the field of social service is the lack of interest and understanding by the public at large.

In the field of correction this is an understatement, for our work suffers not only from lack of interest but from absolute and sometimes willful misunderstanding.

To many misguided souls, probation and parole are dirty words, and those of you who self-sacrificingly dedicate your lives and invaluable talents in this important field are looked upon either as sob-sisters who would look with tearfilled eyes and a pitying heart on a criminal who had just murdered his father and mother—solely because he was an orphan—or as accomplices of the underworld bent upon springing every notorious hoodlum from prison so that they might prey upon the law-abiding citizen of the community.

This is the problem you face and, I am afraid, will continue to face, every day of your lives, unless the message of the next recipient of our awards is spread far and wide.

During the last two years our honored guest has done more to remedy this condition than have all of the writers of editorials or speakers at conferences and members of study and discussion groups within my memory.

He has accomplished this as he has accomplished all the other great achievements of his distinguished career, by highlighting the power of the individual to change the world in which he lives.

I speak, of course, of Reverend Father James Keller of the Maryknoll Missions, who has found as fertile a field for missionary service among the pragmatists of his homeland as among the benighted pagans in the far corners of the world.

Father Keller's premise has been that though we believe and talk as members of the Christian faith and in the Judaic heritage, we fail to act as such in the course of our everyday lives.

As founder of the Christophers, an organization without officers, without dues, without a constitution or by-laws, but with members—of which I am proud to be one—dedicated as he has been to translating faith into good works, he has taught us that within our own orbit we can better the lives of our friends and neighbors, and even of our enemies.

By his work, he has literally changed the world.

The Christophers, though Catholic in origin, know no boundary of creed, race, or national origin.

Its only requirement is one of self-sacrificing spirit to better the lot of our fellowman.

It was in this spirit that he and his organization conceived, financed, and produced *Sentence Deferred*, based on

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the life of John Augustus, the father of probation in America.

This is the film which has done much to overcome public prejudice and misunderstanding concerning probation and parole.

It has brought about a breakthrough in the heretofore impregnable barrier of public hostility engendered by the ignorant and ill-informed.

It is for this contribution in our specialized field of endeavor that we honor him tonight.

Those of you who have seen the picture and have noted the reaction of those who have witnessed it, realize that this award is but a feeble effort to acknowledge a great indebtedness for incomparable achievement.

## NPPA Annual Business Meeting

Swampscott, Mass. June 3, 1959

### MINUTES

Herbert W. Kochs, President of the Association, presided.

The minutes of the last annual business meeting were approved without a reading.

#### *Report of the Professional Council*

Chairman William N. MacKay reported on the business of the Council's annual meeting on May 31, at which seventy-two members were present. Council projects completed during the year included "Standards and Guides for the Practice of Adult Probation" and the preparation of twelve cases for the packet of Case Training Materials [see p. 319]. A plan for a demonstration project to launch a nation-wide system for reporting statistical data on criminal court dispositions was proposed to the Administrative Office of the United States Courts. Criteria for Professional Council membership were prepared and approved. The Committee on State Youth Services proposed that the NPPA join with the Council of State Governments in plans for a national conference on delinquency in coop-

eration with the Conference of Governors.

Professional Council officers elected for the coming year were: Chairman, Elmer Reeves; Vice Chairmen, Lorenzo Buckley, Martin P. Davis, Lawrence E. Higgins, Earl L. Petersen, and John W. Tramburg; Executive Committee, Parker L. Hancock, Maurice C. Koblentz, Carroll R. Minor, Margaret S. Perrin, Roy W. Russell, Sanger B. Powers, and Ben Overstreet. Council nominees to the NPPA Board of Trustees are Joseph H. Hagan and Joseph Y. Cheney.

#### *Report of the Advisory Council on Parole*

Chairman G. I. Giardini reported on the Council's current project, to prepare a publication on criteria for parole selection as a guide to parole board members. The content outline has been completed and will be the subject of discussion at the Council's annual meeting at the Congress of Correction in Miami Beach, September 1, 1959.



*1960 National Institute*

Earl L. Petersen invited the membership to the 1960 National Institute on Crime and Delinquency to be held at the Muehlebach Hotel, Kansas City, Mo., May 1 to May 4, 1960, under the joint sponsorship of the National Probation and Parole Association, the Central States Corrections Association, and the Missouri and Kansas probation and parole associations.

*Resolutions and Motion*

Five resolutions and one motion were submitted to the meeting and approved by the membership. The Resolutions Committee consisted of: Heman G. Stark (Chairman), Director, California Youth Authority, Sacramento; A. Whittier Day, Director, Minnesota Youth Conservation Commission, St. Paul; L. Wallace Hoffman, Chief Probation Officer, Lucas County (Ohio) Juvenile and Domestic Relations Court, Toledo; Russell G. Oswald, Chairman, New York State Parole Commission, Albany; and John W. Tramburg, Commissioner, New Jersey State Department of Institutions and Agencies, Trenton. The following are the resolutions and the motion:

*Be it resolved* that the National Institute on Crime and Delinquency extend its appreciation to the New England Conference on Probation, Parole and Crime Prevention and its president, Martin P. Davis, and to the Massachusetts Probation Officers' Association and its president, Anthony J. DiNatale, for joining with the National Probation and Parole Association and its president, Herbert W. Kochs, in taking leadership for the development of a conference which

has enriched all those in attendance and has focused national attention on the role of professional services in combating crime and delinquency.

*Be it further resolved* that special recognition and appreciation be extended by the National Institute to Martin P. Davis, general chairman of the Institute, to C. Eliot Sands, chairman of the Program Committee, and to the many committee chairmen and their associates without whose labors and initiative this Institute could not have been a success.

*Whereas* juvenile delinquency is a social problem that deflects children in their growth toward responsible citizenship, thereby diminishing the strength and vitality of the nation, and

*Whereas* juvenile delinquency, though basically related to conditions in the home, the neighborhood, the community, and the state, is a steadily mounting problem of nation-wide proportions in both urban and rural communities, and more concerted and intensive efforts are vitally needed to discover and disseminate means of controlling it,

*Be it therefore resolved* that the federal government should assist efforts to find solutions to the problem of juvenile delinquency, specifically through financial assistance and leadership for training of personnel and research, and

*Be it further resolved* that the National Institute on Crime and Delinquency and the membership of the National Probation and Parole Association, the New England Conference on Probation, Parole and Crime Prevention, and the Massachusetts Probation Officers' Association urge

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that the Congress of the United States enact the Juvenile Delinquency Control Projects Bill, House Resolution 7335, to provide for federal grants and contracts with respect to techniques and practices for the prevention, diminution, and control of juvenile delinquency.

*Whereas* every detention facility has a maximum capacity beyond which it cannot adequately protect the health, welfare, and safety of the children,

*Be it therefore resolved* (1) that an official maximum capacity be established for every detention facility, (2) that those in charge cannot be responsible for the care and safety of the children if the facility is crowded beyond its established capacity, and (3) that when such a situation occurs, the juvenile court judge, the probation department, and the law enforcement agencies be immediately informed of the dangerous situation.

*Whereas* the National Probation and Parole Association included in its recently published Standard Family Court Act provision for the protection of the confidentiality of the court record and probation investigation,

*Be it therefore resolved* that, since probation counseling is privileged communication with the client, the Association go on record as endorsing this provision, and

*Be it further resolved* that the Association, through its Board of Trustees, Professional Council, staff, and general membership, encourage legislation that will apply similar protection to all probation records in the various courts in all states.

*Whereas* the National Probation and Parole Association, in cooperation with regional and state associations, has conducted the National Institute on Crime and Delinquency annually since 1954, and the success of the Institutes has contributed to increased public and professional understanding of the causes and treatment of crime and delinquency, and

*Whereas* in the years since its establishment the National Probation and Parole Association has expanded its services in the correctional field, and through its citizen action program has emphasized the need for informed citizen leadership for the further advancement of the correctional field, and

*Whereas* the present name of the Association is too narrow to reflect the scope of the Association's program, its services, and its annual Institute.

*Be it therefore resolved* that the membership of the Association authorizes the Board of Trustees to take the necessary measures for formal legal establishment of a name such as *National Council on Crime and Delinquency*, which would more accurately reflect the scope of the Association's program, its services, and its annual Institute.

*It is moved* that the following provision be added to the bylaws of the Association:

"The Association shall help develop and promote sound methods of preventing and correcting delinquency and crime through a national citizen movement consisting of state citizen action committees and councils. The Association shall appoint the members of the state citizen action committees for overlapping terms. State committee members shall be

selected from business, labor, industrial, professional, and other civic leaders. The staff for the state action program shall be appointed by the Association. Each state committee may adopt rules for its organization and procedure."

#### *Report of the Nominations Committee*

Members of the Nominations Committee were Sanger B. Powers (Chairman), Director, Division of Correction, Wisconsin Department of Public Welfare, Madison; Joseph Y. Cheney, Commissioner, Florida Parole Commission, Tallahassee; George F. McGrath, Massachusetts Commissioner of Corrections, Boston; Carroll R. Minor, Director, Division of Youth Services, Virginia Department of Welfare and Institutions, Richmond; Ben Overstreet, Jr., Penologist, Office of the Provost Marshal General, Department of the Army, Washington, D. C.; and Roy C. Votaw, Chief, Field Services Division, California Youth Authority, Sacramento.

The following, whose terms expired this year, were renominated for membership on the Board of Trustees:

|                         |            |
|-------------------------|------------|
| Henrietta Additon       | New York   |
| Judge Paul W. Alexander | Ohio       |
| Chester A. Allen        | New York   |
| Franklin F. Bruder      | New York   |
| Ward M. Canaday         | Ohio       |
| Joseph Y. Cheney        | Florida    |
| Guy J. D'Antonio        | Louisiana  |
| Hon. Alfred E. Driscoll | New Jersey |
| William Dean Embree     | New Jersey |
| Jewett T. Flagg         | Alabama    |

|                            |               |
|----------------------------|---------------|
| Lewis W. Francis, Jr.      | New York      |
| Joseph H. Hagan            | Rhode Island  |
| Irving W. Halpern          | New York      |
| Garrett Heyns              | Washington    |
| Sigurd S. Larmon           | New York      |
| Judge Harry G. Miller, Jr. | Kansas        |
| Joseph P. Murphy           | New Jersey    |
| Mrs. Anna C. Petteys       | Colorado      |
| Dean Roscoe Pound          | Massachusetts |
| Maurice Rosenfeld          | New York      |
| Reginald Trice             | Georgia       |
| Frank C. Van Cleef         | Ohio          |
| Rodney C. Ward             | New York      |
| Charles F. Zeltner         | New York      |

The following persons were newly elected to the Board:

|                          |               |
|--------------------------|---------------|
| J. David Baker           | Indiana       |
| Donald Black             | New York      |
| Hon. LeRoy Collins       | Florida       |
| Col. Richard W. Copeland | Virginia      |
| Walter Laidlaw           | Michigan      |
| Arthur T. Lyman          | Massachusetts |
| Austin H. MacCormick     | California    |
| Alfred H. Morton         | New York      |
| Jack Northrup            | California    |
| WILL C. TURNBLADH        | Director      |

#### **General Sessions and Workshop Summaries**

The October issue of the NPPA JOURNAL will contain summaries of the workshop discussions and two general sessions; these have been prepared by assigned recorders and are being edited by Edwin Powers, Deputy Commissioner of Corrections, Mass.

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On April 6, after thirty-four years as Ramsey County (Minn.) District Court judge, twenty-four of them in the juvenile court, Judge Carlton McNally resigned from the bench.

In addition to his outstanding career as a jurist, Judge McNally has devoted a great deal of time to the Boy Scouts and other service organizations. He has been vice-president of the Boy Scouts' Indianhead Council more than twenty-five years, he holds the Silver Beaver Boy Scout award for distinguished service to boys, and he presided over the Scouts' Court of Honor for more than twenty-five years. He relinquished this responsibility only recently, because of the press of juvenile court work. He served for over twenty years on the Archdiocesan Committee on Scouting and has been credited with great success in promoting scouting among Catholic churches throughout his archdiocese; he was designated a National Field Scout Commissioner because of this work.

He has been president of the St. Paul Athletic Club and the St. Paul Exchange Club. He is a member of the Knights of Columbus, the Veterans of Foreign Wars, the Minnesota Juvenile Court Judges Association, the National Council of Juvenile Court Judges, and NPPA. He was one of the incorporators of the American Legion's Post 8, largest and oldest post in his district.

Judge Ronald Hachey, of the District Court, has been temporarily assigned as juvenile court judge.

Since 1943 Judge Stanley P. Mead has been juvenile court judge for the State of Connecticut, First District, which comprises two counties—Fair-

field and Litchfield. His term expires on April 10, 1960, and he will retire on that date because of the mandatory age ruling in the state. He was first appointed in 1943 by Governor Baldwin, was reappointed for another six-year term by Governor Bowles, and, again, by Governor Ribicoff to his present term. He is president of the Fairfield County YMCA; of Camp Mohawk, a boys' and girls' camp in Litchfield County; and of the Connecticut Child Welfare Association, Inc. He has been a member of the school board in New Canaan, his home town, for over thirty years.

Margaret Connors Driscoll will assume the First District judgeship vacated by Judge Mead. She was graduated from Wellesley College in 1935 and from Yale Law School in 1938, and in that year was admitted to practice before the Connecticut Bar. She is a member of the board of directors of the Bridgeport Mayor's Commission on Human Rights, the Bridgeport Child Guidance Clinic, and the Bridgeport Community Chest and Council.

Philip Forman, Chief Judge of the U.S. District Court in Trenton, N. J., was nominated on February 10 as judge for the Third Circuit, which includes New Jersey, Pennsylvania, Delaware, and the Virgin Islands. He succeeds Circuit Judge Albert B. Maris, 65, whose retirement was approved by the President on the same day as Judge Forman's nomination. Judge Forman, who is 63, was United States Attorney for New Jersey from 1928 to 1932. He is a member of the NPPA Advisory Council of Judges.

Richard A. Chappell has been appointed Georgia's assistant director of probation, a new position created by the legislature at its recent session. Mr. Chappell has been practicing law in Macon and has been serving as an advisor to the State Pardon and Parole Board. Previously he was a member of the U. S. Board of Parole and chief of the federal probation service.

Leon T. Stern, Consultant to the Philadelphia Youth Services Board, is a member of one of the first classes graduated by the University of Pennsylvania's School of Social Work. His first association with the field of correction, he recalls, was with Charles Chute "soon after 1910." In tribute to his long and distinguished career in social work, Gaylord P. Harnwell, President of the University of Pennsylvania, and Ruth E. Smalley, Dean of the University's School of Social Work, wrote him on May 6, the fiftieth anniversary of the School:

On the occasion of the fiftieth anniversary of the School of Social Work, it is our pleasure to salute a member of one of its first classes....

The School [has] utilized your talents as lecturer; and when you were helping to develop the Domestic Relations and Juvenile Divisions of the [Philadelphia] Municipal Court, a visit to your domain was a coveted assignment for a student. Over the years, in all your subsequent brilliant achievement in penal affairs, your relationship to the School has been kept alive by frequent collaboration.

We proudly honor you, one of the earliest trained social workers anywhere, and we congratulate you upon your half-century of distinction in this field.

Gov. Edmund G. Brown has nominated John W. Brewer and John G.

Bell for appointment to four-year terms on the California Adult Authority, which sets terms of sentences of convicted persons and considers and passes on applications for parole. They will replace men whose terms expired March 15. Both posts pay \$16,500 a year and require Senate confirmation.

Mr. Brewer, 43, replacing Everette M. Porter, has been probation director in charge of the Southwest Area Office of the Los Angeles County Probation Department, with which he has been associated since 1941. He is a graduate of Fresno State College (1937) and took graduate study at UCLA and the University of Southern California.

Mr. Bell, 57, succeeding James D. Tante, has been a member of the International Brotherhood of Electrical Workers since 1922 and assistant business manager of the union's Local 11 in Los Angeles since 1951. He is secretary-treasurer of the California State Association of Electrical Workers and has been, for the past three years, a member of the Democratic State Central Committee.

Dr. Joseph Eaton has been appointed professor of social work research at the University of Pittsburgh's Graduate School of Social Work. His new responsibilities involve the research program for the master and doctor of social work degrees and the development of faculty research. During the year before this new appointment, Dr. Eaton was visiting professor at the School of Social Welfare, University of California at Los Angeles, as principal investigator on a research project sponsored by the National Institute of Mental Health, and pre-

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viously was coordinator of Research Planning in Corrections and research consultant for the California State Board of Corrections. He has conducted research for several social work agencies.

F. Lovell Bixby, director of the New Jersey Department of Institutions and Agencies' Division of Correction and Parole, recently received the fifth award for professional accomplishment presented by the New Jersey State Employees Awards Program for "his contribution to the field of corrections in New Jersey by the conception and development of the short-term treatment program as exemplified by Highfields."

In the NEWS & NOTES section of the January, 1959 issue of the JOURNAL three schools of social work were noted as having expanded their programs to include correctional work. Other schools have recently begun such specialized training:

- The School of Social Work of the University of Toronto has established a Special Lecturer in Corrections, to begin work in the academic year 1959-60 and to continue for at least three years. The appointment has not yet been made, and applications for it are open. (See "Employment Opportunities," page 310). The Junior League of Toronto has guaranteed the position for at least the first three years. In its announcement of the lectureship, the school notes that "while the position is located in the School of Social Work, the academic disciplines of psychology, sociology, psychiatry, medicine, and law are all related to this growing field of study,

which has recently received considerable attention in Canada and elsewhere."

John S. Morgan, acting director of the School of Social Work, says that "the objective of the special post is to endeavor to define and advance the appropriate studies and educational opportunities for those who have a special interest in the application of social work knowledge, understanding, and skills to the problems of the growing field of correctional practice."

- The School of Social Welfare of Florida State University now offers five different programs, leading to the following: (1) A certificate in correction, awarded to persons who are interested in other fields but want a correctional orientation. (2) A bachelor's degree in criminology and correction, awarded for completion of the usual requirements for the bachelor's degree plus a three-months internship in an approved correctional setting. Special emphasis is placed on practical application of correctional principles. (3) A master's degree in criminology and correction; work toward this includes an internship of at least three months in an approved correctional setting. The practical application of behavioral, correctional, and administrative principles in juvenile and adult correctional agencies and facilities is emphasized. (4) Master of social work, with emphasis in correctional social services, administration, and research. Field placement and research are correctional, and a seminar in the constructive use of authority is included in the casework sequence. (5) Doctor of philosophy in criminology and correction, granted jointly by the School of Social Wel-

fare and the Department of Sociology; includes nine course hours in prescribed research courses, twenty in sociology, and thirty-one or more in correctional or other courses advised by the supervising doctoral committee.

- The School of Social Service Administration of the University of Chicago has announced a new program of graduate training in juvenile delinquency and correction to begin in the fall of 1959. Its summer institutes include a course in social work with the juvenile delinquent as well as generic social work courses such as direct casework with children, casework treatment of adults with character disorders, psychiatry for social workers, casework with older people, casework with parents, casework treatment of adolescents, and casework with disordered families. The "social work with the juvenile delinquent" course will be given as part of the Second Series of Summer Institutes, July 27-August 7. Charles Shireman, head of the new program, is teaching this course.

- The School of Social Work of Tulane University offered (June 8-26) a "Workshop on Juvenile Probation Services." Leaders of the workshop were Mrs. Alice Grace Lowe, of the Training Branch of the U. S. Children's Bureau's Division of Juvenile Delinquency Services, and John Wall, Assistant Professor of Social Casework at the Tulane School of Social Work and formerly case supervisor of the New Orleans Juvenile Court. Four additional visiting faculty provided the staff for the workshop, which covered the general characteristics of correctional settings, the

clients found in the caseloads, the significance of authority, the legal rights of children and their parents, the essentials of social study, and planning treatment of the juvenile offender. Administrative problems common in the field were also discussed. Also offered were three seminars—"adolescent behavior," "intake and interviewing," and "understanding mentally disturbed people"—and three courses open only to students with the M.S.W.—"casework with children," "culture and social work," and "family diagnosis."

- This year's sessions at Yale's Summer School of Alcohol Studies (June 28 to July 23), sponsored by the Laboratory of Applied Biodynamics, explored special problems in the rehabilitation of homeless alcoholics, with emphasis on alcoholism as an adult health problem, the relation between alcoholism and tuberculosis, the epidemiology of alcoholism, community mental health as a factor in prevention, and administrative responsibilities of state and local health departments for alcoholism treatment services.

- Common misconceptions about the police and the press were one of the subjects studied at the Institute on Police-Community Relations held at Michigan State University May 24 to 29. Donald Shoemaker, editorial page editor of the *Miami Herald*, told those at the Institute that both the law enforcement officer and the newspaperman need better training about each other's procedures, functions, and attitudes. The Michigan State University School of Police Adminis-

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tration and Public Safety sponsored the Institute in cooperation with the National Conference of Christians and Jews, the International Association of Chiefs of Police, the Michigan Association of Chiefs of Police, and the Michigan Sheriffs' Association.

Since February, the California Department of Corrections and the Adult Authority have followed streamlined procedures which permit quicker release of prisoners after they have been granted parole.

Formerly, many a man's actual release from prison under parole supervision was automatically delayed ninety days by the Adult Authority, most of the time being spent on arranging a suitable job and parole program.

Fred Finsley, chairman of the Adult Authority, and Richard A. McGee, Director of Corrections, said that the delay could be reduced appreciably because the general improvement in the economy had provided more job opportunities for parolees. Parole division placement services have been stepped up to process men more rapidly. A tentative release plan is now submitted to the Adult Authority when the inmate appears for the parole hearing. "This will mean a substantial saving to the taxpayer, possibly about \$275,000 a year, and should also aid in reducing the present overcrowding of state correctional institutions," McGee and Finsley said.

Another innovation now gives earlier hearings for parole to the less serious cases. This change is the result of the special intensive parole unit research study begun in 1953, which demonstrated that certain non-aggressive offenders can be released

about ninety days earlier than normal without jeopardy to public safety. Cases chosen for earlier hearings meet standards set by the research study.

"Probation Is Protection," a pamphlet prepared by Charles T. G. Rogers, Chief Probation Officer of San Diego County, has recently been transcribed into standard English Braille so that visually handicapped persons—primarily parents of children served by the probation department—can secure information about the department's work. Mrs. Evelyn Grime, a member of the probation staff, prepared the Braille transcription under the sponsorship of the Braille Transcriber's Guild of San Diego.

Other visually handicapped persons interested in reading about the work of the San Diego County Probation Department can secure a Braille copy of the pamphlet by writing to the Department at 145 West B Street, San Diego 1, Calif.

In the forty states still legalizing execution for one or more crimes, local groups are being organized to fight for abolition of the death penalty, condemned as morally wrong, contrary to the best thinking of modern penologists, and demonstrably no more effective a deterrent than imprisonment or other punishments.

Donal E. J. MacNamara, Dean of the New York Institute of Criminology, was unanimously elected president of the American League for the Abolition of Capital Punishment, the group which is leading the resurgent movement, at the annual meeting of the National Board of Directors. Dean

MacNamara, who is vice-president of the American Society of Criminology and a Fellow of the American Association for the Advancement of Science, succeeds Dr. Miriam Van Waters, noted Massachusetts penologist, who becomes Honorary President.

Elected vice-presidents were Rev. Dr. John Haynes Holmes, Community Church, New York City; Mrs. Eleanor Roosevelt; Austin MacCormick, University of California; Dr. Karl Menninger, Topeka, Kansas; Prof. Thorsten Sellin, University of Pennsylvania; Sara Ehrmann, President of the Massachusetts Committee to Abolish the Death Penalty; Dr. Clarence Pickett, Friends Service Committee; and Clinton Duffy, California Adult Authority.

Dr. Percy Ryberg, New York psychiatrist, was re-elected treasurer, and Mrs. Ehrmann was renamed executive director.

The five meetings of the 1958-59 program of the Illinois Academy of Criminology were devoted to the exploration of tangential but significant consequences of our traditional ways of dealing with crime and criminals. The study of these unintended, or latent, side effects must come under scrutiny, the Academy announced, so that a greater degree of awareness can lead to more rational and constructive activity. The meetings dealt with "Some Latent Aspects of the Law," "Some Unintended Side Effects of Law Enforcement," "Some Latent Consequences of the Judicial Process," "Some Latent Functions of Imprisonment," and "Tangential Aspects of Extra-Institutional Agencies."

The Illinois Academy's annual Institute was held on April 17 and 18 at the University of Chicago. Its theme was "Theories and Realities in Criminology as Viewed by the Behavioral Disciplines." Guest speaker at the banquet meeting was Prof. Lloyd Ohlin, of Columbia University.

The Institute was cosponsored by the University of Chicago's School of Social Service Administration, Department of Sociology, and School of Law.

A statewide citizens' advisory committee was organized in April to assist the Deuel Vocational Institution (near Tracy, Calif.) with its industrial training problems.

Louis Burke, business agent of San Francisco's Local 3141, Furniture Workers Union, and Al Sandberg, of the Sandberg Furniture Manufacturing Company, Los Angeles, representing labor and employers respectively, were elected to serve as co-chairman.

"We are extremely grateful to these busy people," said Deuel's Superintendent Allen Cook, "for their willingness to set aside their own affairs to assist us. Citizen participation in the various programs of our institution brings about public awareness of our problems, and committees such as this—both here and at the other institutions of the Department of Corrections—have, through their up-to-the-minute knowledge, been instrumental in saving substantial sums of public money while establishing realistic rehabilitative training programs."

The objectives of the trade advisory program of the California Department of Corrections are to get sound advice on the institutions' space

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and equipment requirements, training procedures, and instructor qualification and selection; to establish standards of inmate selection and training which are acceptable to labor and management; to give practical vocational guidance to and evaluation of inmate trainees; to get the advice of voluntary consultants on employment potentials and placement opportunities for releasees; and to improve mutual understanding among the three participants—management, labor, and the Department of Corrections.

Youths in the Deuel Vocational Institution receive a wide variety of vocational and on-the-job training in industrial enterprises. The institution maintains a full twelve-grade school of elementary and secondary subjects and, in addition, teaches twenty-five specific trades to those inmates who can profit from this training. The courses are designed to make the trainees capable of employment upon their release from the institution. A high percentage of the inmates have families to support immediately upon release.

New York City boys—129 of them—discharged from Children's Village in Dobbs Ferry are now receiving clinical, vocational, educational, and recreational guidance from caseworkers and guidance counselors in the Village Child Guidance Institute.

The Institute was opened last July (at 41 Union Square, New York City) to provide former Children's Village boys with treatment and counseling services; since then, group guidance for mothers, educational testing, and job placement have been added to the work of the office.

The caseworker, the psychiatrist, the vocational-educational counselor, and the psychologist periodically consult together to assess the needs of each boy receiving aftercare and to plan how the gains made in residence can be strengthened. Treatment services are likely to be more intensive for all boys during their first period in the community, when many new adjustments need to be made. Most boys are transferred to a new caseworker to help them feel that their dependency on the protection of the institution no longer exists and that a new point of view and different efforts must be made to adjust in the community. In some cases the relationship with the worker at Children's Village is so important to the child and so essential for continued growth that he continues initially with his resident caseworker.

Experience during the Institute's first eight months indicates that "hard to reach" teen-agers are able to ask for and use professional help because of changes in them achieved while they were in residence at Children's Village.

In the report to the Board of Directors of the Children's Village, Executive Director Joseph F. Phelan, Jr. said: "It has taken four years to organize a residential treatment school at Children's Village. We are now ready to expand services into the community. We need to do more work with the parents of boys in residence; facilities are required for boys who have no homes to which to return; job placement, school liaison, and individual therapy for boys who have left the Village should be intensified. The Village aftercare services of the



Child Guidance is the first step in this direction."

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An AP dispatch from Raleigh, N.C., May 19, reported that "Eight tough, long-term convicts at a prison camp for incorrigibles [Ivy Bluff] have chosen self-mutilation as a means of registering complaints. State Prisons Director William Bailey said three prisoners yesterday cut off a part of their little fingers and five injured themselves with sledge hammers. . . . Bailey commented: 'Men will do anything to get away from there.'"

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To celebrate National Library Week, the senior librarian of San Quentin Prison, Herman K. Spector, put together a mimeographed brochure containing short essays by prisoners on what the library has meant to them.

Mr. Spector, the first trained librarian at San Quentin, began working there in 1947. The library itself has existed in some form since 1852. The first librarian at the prison was Dick Fellows, a highway robber committed in 1870 and a character of some flamboyance; he is remembered as an inveterate maker of long moral speeches to the other convicts, was later promoted to the rank of teacher in the Department of Moral Instruction at Folsom Prison, and maintained to all and sundry that he was a Harvard man. Mr. Spector says that he himself is only "a meager Columbia graduate." Under his first two years of tutelage in the prison library, the number of users increased from 489 to 3,226, or to about 71 per cent of the population. Before 1947 the library was open only a few minutes on weekdays. The average reader

now borrows one hundred books a year from the stock of about 25,000 volumes.

The men are also allowed to request books not in the library. Almost 5,000 books were so ordered from the state library in 1948-49, an increase of 100 per cent over the preceding year. They are permitted to buy books and subscribe to magazines; in the same two-year period, 2,077 books were ordered by 1,271 men, and 1,028 magazines were ordered by 637 men.

About twenty inmates now assist Mr. Spector, and both he and the inmates give personal and reader advisory service to library users. The library has a special reference unit for students and writers. Book damage and loss is very small, averaging one violation to 2,000 borrowers.

The librarian's job is not restricted to running his library. He also organizes debating teams which compete with regular members of the debating teams of the University of California and San Francisco College. In 1948 and '49, the San Quentin team won two unanimous decisions and one 2-1 decision. "Outside professional people are the judges," Mr. Spector says.

An especially delicate task which Mr. Spector has assumed is the reading and criticism of manuscripts written by the inmates for outside publication. During one year he approved 973 short stories, plays, poems, novels, biographies, and feature articles, and rejected 418. Many of the manuscripts have been accepted; two have appeared in nationally known magazines, one on technical aviation problems and one on the extinct buffalo. One professional writer has had two plays and two books published.

The librarian also makes book lists for the chaplains, and lectures users on the library itself, its use, its benefits, its services and reference facilities, and its collection of 900 phonograph records, which can be played over the prison's "grey network" by request from prisoners or their friends outside.

Library assistance also goes to Condemned Row, the Guidance Center, criminal insane patients, San Quentin Camps, Hospital and Psychiatric patients, Old Prison, and South Block Segregation, Road and Forestry Camps when they are open. Groups of books on psychology, mental health, and inspirational readings are prepared for men in isolation.

At a "speech group" supervised by the librarian, one man chose the electrifying subject, "Crime Does Pay." He told what the prison had done for him, a foreigner with little education (and his testimony is repeated in the essays in the "National Library Week" brochure):

"Being here, I have come to know myself and my faults. Being here, I have attended school and improved my English language very much. Being here, I'll admit, is not what I'd rather do, but I accept the fact that I made a mistake and now I am making the mistake pay me dividends. My crime did not pay me in dollars but with knowledge. When I leave San Quentin I know I will never come back to this prison or any like it."

Gov. Edmund G. Brown has extended the life of California's Special Study Commission on Juvenile Justice to June 30, 1960, and reappointed the Commission members. His order said

that the original reporting date of June, 1959 did not allow enough time for the Commission to study all significant aspects of juvenile justice.

For the past year, the Commission has been conducting a statewide study of juvenile court practices, probation services, and law enforcement procedures. It issued its initial findings in an interim report in February, 1959, in which it urged that it be continued for another year so that it might carefully analyze the more than one hundred recommendations made to it and consider redrafting the juvenile court statutes.

This first interim report found "virtually unanimous support" for the protective rather than punitive philosophy of the current juvenile court law and the age limits of its jurisdiction, which recognize the difference between the acts of adults and the acts of children. The courts have original jurisdiction up to eighteen and concurrent jurisdiction with criminal courts for minors between eighteen and twenty-one.

But it also found "numerous problems which must be resolved if the administration of juvenile justice is to fulfill the promise and expectations of its potentialities."

The Commission urged that no major change in the juvenile court law be made until it completes its study. It said it would have comprehensive recommendations for legislation next year.

The Commission listed four problems as among the most significant:

1. Instead of a uniform system of juvenile justice, there are varied systems based on divergent policies and values depending "more upon the community in which the offense is

committed than upon the intrinsic merits of the individual case."

2. The relatively independent status of official agencies meting out juvenile justice tends to produce inconsistencies in philosophy, imperfect coordination of efforts, and disparity of administration. "Where successful programs exist, they are entirely voluntary and appear to result from the chance ability of law enforcement, probation, school, and other officials to arrive at common goals and objectives. In some communities there is open antagonism between official agencies and mutual distrust to the detriment of the efficient operation of the juvenile justice system."

3. Juvenile courts and delinquency control agencies have been seriously overtaxed by the increase in the number of children brought to their attention without commensurate increases in available services, staff, or treatment facilities.

"Such overloading not only dilutes the quality of services, but increases the likelihood that important decisions will be unduly influenced by considerations of administrative convenience and expediency to the detriment of objectives of rehabilitation and social justice."

4. Serious questions have been raised as to whether basic legal rights are adequately protected under present juvenile court provisions and procedures. In addition, other problems are created by the contradictions, ambiguities, and lack of definitions in the present juvenile court law.

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*Law and Contemporary Problems*, the Duke University School of Law quarterly, recently published two issues devoted to topics of great interest

to JOURNAL readers. The Summer, 1958 number is a symposium on "Sentencing," and includes articles on the aims of the criminal law, diagnostic techniques, predictive devices, administrative board sentencing, sentencing structure, contradictory orientations in the juvenile court, the A.L.I. Model Penal Code, a critique of the Code, and comparative sentencing practices.

The Autumn, 1958 issue, titled "Crime and Correction," contains articles on the legal, the psychiatric, and the sociological approaches to crime and correction, and critiques of each of these approaches; an article on white-collar crime, one on the nature and effectiveness of correctional techniques, and one on the role of correctional research.

Single copies are \$2.50 each.

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"Let's Get Technical" is a discussion and definition of child protection, the client, what "neglect" is, and aggressive casework, by Vincent de Francis, director of the Children's Division of the American Humane Association. The Children's Division of the AHA is the National Association of Child Protective Agencies. The ten-page pamphlet, subtitled "The Why and What of Child Protective Services," was adapted from one of five lectures on Child Protective Services delivered by the author at the 1958 annual Texas Institute on Children and Youth. "Child protective services" are casework services, and exclude financial aid, foster care, institutional care, adoption services, and other child welfare programs.

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"The Scourge of Narcotics" is the title of a twelve-page booklet put out

for patrolmen by the New York City Police Department to explain the addict and his addiction, the history, sources, and practices of narcotics suppliers, the nature of the various drugs, and laws relating to their sale and use.

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 "The Problem Family," a forty-page pamphlet published by the Institute for the Study and Treatment of Delinquency (London), contains four lectures given at a week-end conference organized by the Institute in October, 1957. The lectures cover the vexing phenomenon of "the problem family" from every angle—that of the judge, the psychiatrist, the family itself, and the voluntary social work agency.

Starting with "The Problem Family in Court," W. E. Cavenagh, a "lay justice" and Lecturer in Social Studies at the University of Birmingham, defines the present attitude of the law to this social problem.

T. A. Ratcliffe, consultant psychiatrist to the Nottingham County and Derby Borough Child Guidance Services and Nottingham Children's Hospital, analyzes the interacting "Personality Factors" which lie at the root of the problem, the primary failure of human relationships which case-work must aim at remedying.

In "The Social Services and the Problem Family," T. G. Rankin, senior psychiatric social worker, City of Birmingham Public Health Department, discusses the social services designed to meet the specific needs of families whose characteristic is to put themselves beyond reach of help.

In the fourth article, "The Problem Family and the Social Services," A. F. Philp, of the Liverpool Family

Service Unit, considers the same question of help for the family more particularly from the family's point of view.

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 What are police tasks in any large urban area? What responsibilities are inherent in the police assignment in work with youth, and how must the police be equipped to carry them out? These questions are dealt with in a 42-page report, "The Crisis in the New York City Police Program for Youth," by Alfred J. Kahn, Consultant to the Citizens' Committee for Children of New York City and a professor at the New York School of Social Work. The report, one of a series on truancy and delinquency published by the Committee, goes on to criticize the New York City Police Department's arrangements for dealing with juveniles, on the basis of the general outline of police work in large cities. It recommends that appropriately trained staff be added, that the present "Youth Division" be altered so that its patrol and investigating Youth Squads use "youth specialists, not detectives-in-training" in a spirit identical with that of the Juvenile Aid Bureau, which does case evaluation and referral of offenders to other agencies. It charges that the "point system" for arrests fails to curb delinquency, ignores the need for effective measures after apprehension, and decreases respect for law and authority.

Copies can be obtained from the Citizens' Committee for Children of New York City, Inc., 112 E. 19 St., New York, 3, N. Y.

#### • Annual Articles

The NPPA JOURNAL has been carrying two annual articles, one on "Leg-

isolation and Court Decisions" by Sol Rubin (in the April or July issue), and the other on "Annual Reports" by NPPA staff members (in the July issue). Beginning in 1960, publication of these articles will be advanced to January for the former and April for the latter, and two more once-a-year features will be added:

1. July issue—"NPPA Field Services," by Milton G. Rector.

2. October issue—"Developments in Correction," by the NPPA Professional Council: a summary of significant new events in the whole field of correction throughout the country; new programs, facilities, concepts put into practice; budgets and appropriations, etc. The first article will cover the period of July 1, 1959 to June 30, 1960. Material gathered by the Professional Council's regional vice-chairmen will be sent to the person selected by the Council to do the final organization and preparation of the article. When something happens in your state that you think ought to have a place in the article, send a note about it to the Council's vice-chairman in your area. For the coming year, the Council's regional vice-chairmen are as follows:

*West:* Lorenzo S. Buckley, Chief Probation Officer, Alameda County Probation Department, 1266 Eighteenth Street, Oakland 7, California.

*New England:* Martin P. Davis, Director of Parole Services, Parole Board, 120 Tremont St., Boston 8, Mass.

*South:* Lawrence E. Higgins, Executive Secretary, Louisiana Youth Commission, P. O. Box 4141, Baton Rouge 4, La.

*Midwest:* Earl L. Petersen, Assistant Director, United Community Fund and Council, 747 Minnesota Avenue, Kansas City, Kansas.

*Middle Atlantic:* John Tramburg, Commissioner, New Jersey Department of Institutions and Agencies, 135 West Hanover St., Trenton 25, N. J.

### Standard Family Court Act

On April 13 a number of newspapers carried a wire service story on the new Standard Family Court Act with the lead, "A four-year study brought a proposal today that separate juvenile and domestic relations courts be abolished and state family courts be created to replace them." Some stories went so far as to say this would mean abolishing 3,000 juvenile courts throughout the country. The stories were based on a release of the United States Children's Bureau. We have learned that the release originally prepared by the Bureau did not contain the word "abolish"; apparently someone upstairs in the Department of Health, Education, and Welfare thought that the story needed an attention-getter and added the word.

The position of the National Probation and Parole Association referred to in the introduction to the April JOURNAL, which contains the new Act,



is that the Standard Family Court Act and the forthcoming Standard Juvenile Court Act, due for fall publication, "provide valuable guides for those considering the relative merit of these two types of courts for their particular community and state."

An Associated Press dispatch of April 20, based on a release from NPPA, clarified our position. It said of the two acts, "Both are being distributed so that various states and communities may decide which type of court best meets their current needs."

Far from abolishing juvenile courts the proposed family court legislation draws upon the experience of the juvenile court and enlarges the court's jurisdiction to include not only children's cases but also those involving the entire family. To suggest that juvenile courts should be abolished is to repudiate one of the most significant and hopeful judicial developments in American history.

WILL C. TURNBLADH

The American Correctional Association and the National Probation and Parole Association are now drafting a Standard Act for State Correctional Services. Existing laws relating to state correctional services, departments, and commissions are not uniform or consistent and do not promote integration of all phases of the correctional process. The new Act is intended to remedy this condition. If you have ideas about changes and improvements in this field, please send your specific suggestions and comments to the undersigned. They will be taken up by the Committee of the Standard Act for State Correctional Services at a meeting in Miami, August, 1959, at the Congress of Corrections.

SOL RUBIN  
Counsel, NPPA

## Employment Opportunities

[Employment opportunities not included below because of JOURNAL publication deadlines are described in a mimeographed announcement available at request from the Midwestern office of the National Probation and Parole Association, 1536 Vincennes Avenue, Chicago Heights, Illinois.]

### Louisville, Kentucky

*Director of Social Service*, for city-county child welfare agency offering shelter, detention, and long-term group care, foster home placement, adoption service, and casework to children at home. Staff of 32 caseworkers and 9 clerical workers; caseload, 1,300 children. Qualified person might also be direct supervisor of shelter and detention facilities. Salary, \$6,600. Write for job description which gives full details to L. C. Carpenter, Assistant Superintendent, Louisville and Jefferson County Children's Home, 316 East Chestnut Street, Louisville 2, Ky.

### Maryland

The new Maryland Children's Center, a 56-bed institution for study, diagnosis, and detention of delinquent children, is recruiting for the following positions:

*Assistant Superintendent*  
*Supervisor of Casework Services*  
*Psychologist*  
*Supervisor of Group Living*  
*Supervisor of Education*  
*Recreation Supervisor*  
*Group Work Supervisors*  
*Unit Supervisors*  
*Caseworkers*  
*Teachers*

For further information write to Division of Training Schools, State Department of Welfare, 120 West Redwood St., Baltimore 1, Md. For application blanks write to State Commissioner of Personnel, State Office Bldg., 301 West Preston St., Baltimore 1, Md.

### Cincinnati, Ohio

*Supervisor*, boy's department, in progressive juvenile court; 2 supervisors, 12 probation officers. Master's degree in social work, plus at least three years experience required. Beginning salary, \$6,500. Write Fred Fragner, Chief Probation Officer, Hamilton County Juvenile Court, 2020 Auburn Ave., Cincinnati 19, Ohio.

### Toledo, Ohio

*Caseworkers* (3), men and women, probation department of family court; woman for domestic relations department. M.S.W. or three years of experience. \$4,500 to \$7,000, starting salary depending on training and experience; annual increments, attractive personnel policies. Write L. Wallace Hoffman, Director, Family Court Center, 429 Michigan St., Toledo 2, Ohio.

### St. Bruno, Quebec, Canada

*Executive Director*, Girls' Cottage School, to administer and supervise a small cottage-type protectional school in an open setting. Experienced in teamwork with psychiatrists, psychologists, and social workers, and able to interpret to the community the needs of the school. Apply to Mrs. W. G. H. Doyle, 6 Murray Avenue, Montreal 6, Quebec.

### Toronto, Canada

*Special Lecturer in Corrections*, in School of Social Work, University of Toronto, beginning in academic year 1959-60. Appointee will be a senior member of the faculty, and will be required to teach, study, and undertake research in correction. Salary, \$8,000 to \$12,000 per year, depending on qualifications. For further information, write the Acting Director, School of Social Work, University of Toronto, 273 Bloor Street West, Toronto 5, Canada.

## Book Reviews

**Patterns in Criminal Homicide,** Marvin E. Wolfgang. Pp. 413. Philadelphia, University of Pennsylvania, 1958, \$8.

Marvin E. Wolfgang's *Patterns in Criminal Homicide*, which analyzes 588 killings in Philadelphia during the five years 1948 to 1952, is probably the most precise and detailed study of criminal homicide that has yet been done. It records statistically the places where and the times when the killings occurred, the weapons used, the race, sex, age, and other characteristics of the offenders and the victims, their relationship to one another, the circumstances and motives involved, and what happened later to the offenders. Although heavily statistical, it adds up to a very interesting as well as valuable book.

Some of the findings confirm results of earlier researches; others are novel. The relationship between offender and victim is more carefully analyzed than it previously has been. Wolfgang's conclusions support those Von Hentig arrived at more than a decade ago—that the victim is often a major contributor to the criminal act. One out of four of the cases fell into the category of "victim precipitated."

Prior studies had generally concluded that the murderer is typically a first offender. That is not true in Wolfgang's data on Philadelphia. There, 53 per cent of the white and 68 per cent of the Negro offenders had prior police or arrest records. Significantly for Wolfgang's thesis that "criminal homicide usually involves intense personal interaction in which the victim's behavior is often an important factor," in victim pre-

cipitated cases the victim was even more likely than the offender to have a previous record. Among Negro male victims, 61 per cent had arrest records. In a high proportion of cases the victims seemed themselves to be persons inclined to commit acts of personal violence and to be more than passive players in the homicide drama.

Although Wolfgang doubts that the availability of firearms in this country is causally related to our relatively high homicide rate, he does conclude that the availability of a lethal weapon of some sort is an important factor. The cultural habit among the Negroes of carrying switchblade knives (not razors) is probably associated with the fact that Negroes use knives in criminal homicides five times as frequently as whites (white males run more to beatings by fists, the feet, or blunt instruments). The esoteric methods of the detective stories—South American poisons, African insects—are almost never found. "Homicide is usually quick, brutal, direct; the weapons employed are simple and relatively commonplace." Stabbings accounted for 39 per cent of the cases, shootings for 33 per cent, and beatings for 22 per cent.

Negroes are arrested for criminal homicide more than four times as frequently as whites; 75 per cent of the offenders were Negroes. They are also the victims of homicide several times more frequently than whites. Women victims have an average age younger than men victims, but women who commit homicide are older on the average than men offenders. There is even a chapter on the specific places where homicides occur, a topic al-

most wholly ignored in other studies. The most dangerous place is the street—except for Negro women, who most often meet their demise in the bedroom.

There are also statistics on the complicating effects of alcohol; suicide and insanity among offenders; unsolved crimes; felony murders; motives; the possible effect of improved technology in communication with the police, transportation to the hospital, and medical practice in reducing the homicide rate; and the time intervals between the act and the trial.

In each chapter, after presenting the Philadelphia statistics, the author briefly summarizes the findings of similar studies elsewhere. The book therefore is a valuable guide to all studies made on all the topics covered.

The thesis of the book is indicated in its title—that criminal homicide manifests certain regularities or patterns. The last chapter suggests topics for further research, especially to find whether there are other threads making up the pattern.

HENRY WEIHOFEN

Professor, College of Law, University of New Mexico

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**Live and Let Live**, Dr. Eustace Chesser. Pp. 126. New York, Philosophical Library, 1958, \$4.75.

*Live and Let Live* is an attempt to explain the moral of the famous Wolfenden Report. Largely as the result of a *cause célèbre*—the Wildeblood episode in England in 1954 (is the syllable "Wilde" a predisposant to deviant sexual behavior?)—a committee chaired by Sir John Wolfenden was appointed to investigate the plaguing problems of homosexuality

and prostitution in the British Isles, and the role of law in controlling or deterring them. The Report's findings also have relevancy this side of the Atlantic.

This commentary reveals disappointingly little of that document, save tantalizing fragments visible through the shower of comment. The Report, published in 1957, got a stormy reception. Its recommendations raised questions that are likely to be debated for years; R. A. Butler, the British Home Secretary, commented: "They are in advance of public opinion."

As Dr. Chesser (a psychologist and sociologist), author of this evaluation, puts it, he sought to "help perplexed and uncommitted members of the public to keep their heads in the storm and reach a balanced decision," while acknowledging that "neither facts nor arguments will have much effect upon those who are actuated by blind, unreasoning prejudice."

It was natural to suppose that a frank and enlightened treatment of two such explosive subjects as homosexual offenses and prostitution would evoke harsh comments from people who are incapable of dealing with those ancient behavioristic phenomena except in highly moral terms. Conformity to a popular conception of existing mores, however unrealistic, is unhappily much preferred over non-conformity, particularly among people whose reactions to the Wolfenden Report were vigorously rejecting. But usually, when hard-bitten observers bring their rich experience to such problems, they are apt to make treatment proposals with scrupulous concern for scientific actualities rather than moralistic scorn.

Precisely what did the Wolfenden Committee find? Its members dis-

covered—as did Dr. Alfred Kinsey years before in the United States—that homosexuality is more prevalent in modern society than most people realize. For time out of reckoning—at least since Periclean Athens—homosexuality has been a practice among men and women. Moreover, there developed in Athenian society a strong entente between prostitution and philosophy, and a placid acceptance of sexual inversion. However, as the studies of Kinsey and Wolf show, excursions into this deviant behavior are fairly common in contemporary civilization.

The Wolfenden study dealt intelligently and constructively with this behavior; Dr. Chesser's summary here and there threatens a departure from it—a species of mild dissents from its findings. Space limitations forbid our dwelling on those dissents.

We would do well, therefore, to come to the heart of the matter. Prostitution and homosexuality were found to be prevalent among differentiated elements of modern British society, both in low and high station. Punishment has been found to be largely ineffectual. That counterparts of the modern English stratifications of these "offenders" were also present in ancient Greece did not soften the shattering blow to those who scanned the Wolfenden Report or read the blazoned newspaper announcements of its findings. To the everlasting credit of the press, 61 per cent of England's newspapers gave a favorable verdict to the Report; 30 per cent condemned it loudly. The latter were shocked and unconvinced, though the evidence was overwhelming. Much of our own press is similarly afflicted with myopia when confronted with proof that the classic reflex, prosecution, is utterly futile as a means of

bringing about an enduring change in personality or sexual commitment.

Essentially, the Wolfenden Report deals with the vexing problem of the effective treatment of these two kinds of behavior. And it is in this area that the Chesser summary has much cogency and usefulness. For example, the question constantly arises as to whether prostitution should continue to be considered a crime—the prostitute punished as an offender. Pragmatically, any view of chronic prostitution as an offense imposes a strain on the resources of police manpower, and probably multiplies the toxic side-effects (third-party criminality); for example, bribe giving and taking. If, as the author comments, the purpose of a posture toward the prostitute as an offender is to enable the police to "clean up the streets" of soliciting prostitutes, it is not necessary that such behavior be treated as an offense; the problem of "street cleaning" could just as readily be accomplished by regarding such behavior as a health problem (like tuberculosis), in which event the community thinks of hospitals, not prisons.

Considering homosexual conduct, Dr. Chesser criticizes the Wolfenden Report for suspending judgment on the contribution of inheritance, while expressing agreement with the Committee's rejection of the concept of homosexuality as necessarily a disease symptom—even in the case of a congenital invert. But Dr. Chesser and the Wolfenden Committee reach agreement when, as in the case of the prostitute, prison is rejected as a "cure" for the homosexual. Citing the examples of countries which have abolished imprisonment for homosexuality, the Committee found that the threat of punishment is not even a deterrent.



Perhaps the most intriguing feature of the Report—one which will provoke heated discussion for years—has to do with the concept that as between consenting adults, private sexual behavior is no concern of the state, and should be beyond the reach of its laws. The test utilized by the psychiatrists, social workers, and clergymen who were interviewed on the question of whether the sanctions of law were to be applied was the palpable social injury that may be inflicted by the behavior of an individual. The damage of invisible prostitution or homosexuality is hard to estimate, the Report finds, and is as difficult to suppress as adultery; this, legal history abundantly demonstrates. If such damage cannot be proved, it argued, we must develop a posture of tolerance and sympathetic understanding; these, the Committee asserts, are the signs of emotional maturity, especially when accompanied by a willingness to fashion effective treatment techniques designed to reduce the risk of social injury.

The area of interference by the law should be reserved, the Committee insisted, for offenses committed (1) against minors, (2) without consent, or (3) in public. This theory proceeds on the notion, interprets Dr. Chesser, that ultimate sanctions may be invoked only to protect innocent people from harm. (Most American jurisdictions, for example, assume under-age females incapable of granting consent to sexual intercourse, but adopt a somewhat different rule in respect to those who have reached the "age of consent.") If, Dr. Chesser forcefully argues, we use law "on the pretext of protecting adults from themselves, we are on the road to tyranny." Rigorist societies are, he hopes, things of the past!

Thus, the Wolfenden Report, with Dr. Chesser's hearty concurrence, would inaugurate the end of savage penalties for the varieties of sexual misconduct dealt with in this altogether thought-provoking book.

EDWIN J. LUKAS

Director, Legal Department, American Jewish Committee, New York City

**Social Perspectives on Behavior: A Reader in Social Science for Social Work and Related Professions, Herman D. Stein and Richard A. Cloward, eds. Pp. 609. Glencoe, Ill., The Free Press, 1958, \$7.50.**

*Social Perspectives on Behavior* is a source book for people in the helping professions. Although prepared for social workers (it is subtitled "A Reader in Social Science for Social Work and Related Professions") it has value for other professionals who are concerned with people in trouble, as it explores in detail a dimension which has a very definite role in human behavior and reactions—the impact that cultural and group values have upon the personality.

The material is presented in six sections, each of which includes related articles which examine a particular aspect of our social structure. Each section is prefaced with an introduction, by editors Herman D. Stein and Richard A. Cloward, which should not be skipped over by anyone browsing through the book. The editors have managed to pull together the theme and purpose of the chosen articles far more successfully than some of the articles are able to convey their content to the reader. In addition, they provide both summations and hypotheses on the series of subjects in each section.

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The introduction by Gordon Hamilton highlights the importance of this volume to the field of social work. The significance of her introduction lies in the acceptance of the broadening and changing concepts which are influencing teaching and practice in social work today. The profession has moved from an emphasis on one factor—such as environmental or emotional problems—as a primary cause of deviance to a much more inclusive approach in which the total personality is studied and treated. It is now recognized that a human being is an end product of many influences and all must be evaluated and understood before a proper diagnosis can be made and appropriate treatment planned. This is reflected in the closer relationship which has developed between social work and the social sciences—their collaboration on research, and the growing number of courses on cultural and social problems now offered in graduate schools of social work.

The sections progress logically, from "Family Structure and Ethnic Patterns"—which discusses the nucleus of social experiences and influences as determined by family structure and values—to Section Six, "Bureaucratic Structure," on the nature of our larger social system. The articles in this last section are of particular interest to the administrators and practitioners in large social agencies, either state or national.

More than fifty articles are presented in all. Section One, "Family Structure and Ethnic Patterns," contains several articles on the contemporary American family and aspects of family organization. It then moves to some hypotheses on families of certain ethnic groups in the United States—the Negro, the eastern Eu-

ropean Jewish, the Italian, and the Puerto Rican family culture. It is very interesting reading; but the inexperienced practitioner should add a grain of salt in digesting each article, because each person or family belonging to one of these ethnic groups whom they treat professionally will not resemble exactly the archetype.

Section Two defines social and occupational roles and role conflicts. This section, dealing with the relationship existing between the individual and society, is closely related to Section Four, "Social Stratification," which has to do with the role to which society assigns the individual.

The material in these two sections is also of particular import to the social worker. We are at times inclined to consider a client maladjusted because he has been unable to realize his expressed and, to us, realistic goal. The rugged individualism which we espouse is not particularly sound, because our culture—national or regional—does assign certain roles to certain ethnic groups. The individual trapped in a social and economic stratification not self-determined needs to be understood in terms of the role to which a larger society has assigned him.

Perhaps the most important section for the social worker is the third, covering the impact of values on practice. The standards by which we live and judge others are all-important in successful social work.

The beginnings of social welfare programs in this country were predicated on the belief that deserving needy people should be helped by others. The catch was then—and still is—in the definition of "deserving." We still find it defined in terms of the worker's own values and standards. Every social worker comes into close contact with people whose values and

experiences are far different from his own. To understand and help these clients who are different from us, we must be sufficiently aware of the values by which we live to insure that our treatment goals are not determined by the degree to which we feel the client's values compatible or incompatible with our own thinking. To this end, the articles in Section Three of *Social Perspectives on Behavior* should be read by every professional.

As a pioneer attempt to bring the social sciences closer to social work and to formulate a common hypothesis and common goal, this "Reader" is most helpful. However, the social scientists are inclined to be too sweeping in their conclusions—as I mentioned in connection with the articles in the first section—leaving no room for individualization of treatment, which is the keystone of social work. This is particularly true of one article in the section on "Social Roles"—"Major Dilemmas of the Social Worker in Probation and Parole," by Ohlin, Piven, and Pappenfort.

This article implies that workers in the correctional field are confused, muddled, and extremely ineffectual in carrying out their socio-legal responsibilities. It is true that the practice of social work in a clearly defined authoritative setting is in many ways different from practice in a voluntary agency. The two major differences exist, however, only in the reasons for referral.

In the public agency, particularly courts, probation departments, and institutions, the client comes involuntarily because he is in conflict with the law—very much in contrast to the voluntary agency, where the client is seldom in obvious legal difficulty and is perfectly free to withdraw when he chooses to do so. If he chooses to with-

draw, he is often considered "unamenable to treatment." However, the probation or parole officer's client who "withdraws" is usually subject to institutionalization as a violator. The social worker in correction has no opportunity to decide whether he thinks the client should be there, and the client quite often shares this feeling. No good purpose is served by beginning one's contacts with such a client in the traditional social work fashion—exploring with the client what his problem is and what he seeks to obtain from the agency. The usual answer is that the client does not see that he has a problem, and that he seeks only release from supervision or interviews as quickly as possible.

However, the social worker in correction needs to work within the framework of his agency. His broader social convictions about the nature of the agency must be solved outside his contact with his client. Also, he has very little to draw upon as a professional person from his experience and training in a school of social work. In these schools a voluntary nonauthoritative approach is stressed, and the inherent authority in every agency is often denied, even though the unresponsive client, the person who repeatedly cancels or fails to appear for interviews, is not continued.

Actually, the dynamics in this situation are much more worker- than client-centered. The lack of involvement of any client in his initial interviews with any agency is usually attributed to resistance. The worker sets a goal of working through these feelings with the client. How many clients in the initial interviews really accept responsibility for their problems and are able to say with conviction that they want help for themselves? The worker in a correc-

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tional agency is faced with the same problem, perhaps in greater degree, since he must in some way keep his client in treatment if he is to be most helpful. He must recognize, and help the client to recognize, the reality of the social consequences for failing to continue with appointments. If the worker can accept this fact, he is certainly in a much better position to help the client reduce his own resistance to continuing contacts. The statements in this article by Ohlin, Piven, and Pappenfort that the correction worker is ashamed of his duty to contact the client, ashamed of the fact that clients do not wish to see him, and participates in collusion to circumvent the law are not true of representative people in this field. If these situations have occurred, as no doubt they have, the reasons for their occurrence lie not in the nature of the correction worker's job but in his personality. If his feelings are as strong as those of the hypothetical workers described in the above article, then he does not belong in the field and is doing a great disservice to his client. If his feelings about authority and its use are so strong, the grave question is whether he belongs in social work at all. The probation and parole officer must be able to assume the responsibility of recommending that his client no longer be allowed his freedom.

The field of probation and parole has a very definite part to play in the rehabilitation of many people who come before courts and public agencies, voluntarily or not. Authority is inherent in the role of any professional person, whether it be the doctor who prescribes to his patient without asking how the patient feels about it; the nurse who administers the medication and (perhaps) cajoles the patient to take it; the lawyer who, while acting

in the interests of his client, still has to persuade the client that certain legal procedures and laws must be followed; or the social worker who adheres to agency and legal rules and thereby helps the individual to see that neither of them can deviate from some well-defined rules.

Perhaps the nucleus of conflict between the sociologist and the social worker lies in this: the sociologist is inclined to be dogmatic in his statements about the behavior and attitudes of people, while the social worker is often unable to conceptualize. This is brought out by some of the very sweeping statements in this "Reader in Social Science for Social Work and Related Professions," which give the impression that all people who fall into a stated category must react in the same way. On the other hand, many articles appearing in social work journals rely too heavily on the use of case material; generalizations in them are not conclusive, nor are inferences drawn from any one case indicative of the common behavior of a group of people who share a number of common sociocultural traits.

The value of *Social Perspectives on Behavior* is that it does point out the necessity for collaboration among all social scientists to increase and expand understanding of behavior. A united effort on the part of psychiatrists, psychologists, social workers, and sociologists could produce some unified thinking which would have great value for all practitioners who are in some way concerned with helping others.

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## STANDARD ACTS

Publication of the new revision of the Standard Juvenile Court Act, originally scheduled for this issue (July, 1959), has been postponed to October, 1959, owing to continued deliberations of the Standard Act Committee. Those wishing to order extra copies of the issue, or of the Act alone in pamphlet form, are urged to fill out the blank below and mail it as quickly as possible; the supply of the issue and of the pamphlet edition will be limited.

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